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Page 1
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              UNITED STATES DISTRICT COURT
 2
              EASTERN DISTRICT OF VIRGINIA
 3
                  RICHMOND DIVISION
    4
    DONNA K. SOUTTER, For Herself and On Behalf of All
    Similarly Situated Individuals,
5
6
                 Plaintiffs,
                                Civil Action Number
            v.
7
                                3:10cv107
    EQUIFAX INFORMATION SERVICES, LLC,
8
                 Defendant.
    9
10
11
12
13
                    DEPOSITION OF
14
                   MAMIKO BARNARD
15
                   October 6, 2010
16
                12:50 p.m. - 1:52 p.m.
17
                  Richmond, Virginia
18
19
20
2.1
22
23
24
    JOB NO: 33526
    REPORTED BY: GWENDA E. APPLEGATE, RPR, CRR
25
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	Page 2		Page 3
1	Deposition of MAMIKO BARNARD, taken and	1	_
2	transcribed on behalf of the Defendant, by and	2	INDEX
3	before Gwenda E. Applegate, Court Reporter, Notary	3	WITNESS:
4 5	Public in and for the Commonwealth of Virginia at large, pursuant to Rule 30 of the Rules of Civil	4	MAMIKO BARNARD
6	Procedure, and by Notice to Take Depositions;	5	Examination by Mr. Love4, 46
7	commencing at 12:50 p.m., October 6, 2010, at	6	Examination by Mr. Bennett37
8	McGuire Woods, 901 East Cary Street, Richmond,	7	Examination by Mr. Bennett
9 10	Virginia. APPEARANCES OF COUNSEL:	8	
11	By: CONSUMER LITIGATION ASSOCIATES, P.C.	9	
	12515 Warwick Boulevard, Suite 100	10	EXHIBITS
12	Newport News, VA 23606	11	NUMBER DESCRIPTION: MARKED:
13	LEONARD A. BENNETT, ESQ., and	12	
	MATTHEW J. ERAUSQUIN, ESQ.,		Exhibit 6Search request
14	Counsel for the Plaintiffs	13	Exhibit 7Requested list28
15	D VINC 0 CDALDING	14	* * * * * *
16	By: KING & SPALDING 1180 Peachtree Street, N.E.	15	
17	Atlanta, GA 30309	16	
	J. ANTHONY LOVE, ESQ.,	17	
18	Counsel for the Defendant	18	
19 20	By: OFFICE OF THE ATTORNEY GENERAL	19	
	900 East Main Street	20	
21	Richmond, VA 23219	21	
22	PAUL KUGELMAN, JR., ESQ.,	22	
22 23	Counsel for the Deponent	23	
24		24	
25		25	
	Page 4		Page 5
1	(October 6, 2010, 12:50 p.m.)	1	A Supreme Court of Virginia.
2		2	Q How long have you held that position?
3	MAMIKO BARNARD	3	A I've been at supreme court 199 since 1989
4	first duly sworn, testified as follows:	4	and the programmer position since '91, '92.
5	EXAMINATION	5	Q What types of things do you do as a programmer
6	BY MR. LOVE:	6	with the Supreme Court of Virginia?
7	Q Would you state your name for the record,	7	A Work for a general district team and mostly
8	please, ma'am.	8	general district, traffic, criminal, civil cases, and
9	A Mamiko Barnard.	9	juvenile domestic program, maintain or create the
10	Q Ms. Barnard, my name is Tony Love, and I am an	10	program, and the Freedom of Information request comes
11	attorney from Atlanta, Georgia. I represent Equifax	11	from, queries, and actually create another program or
12	which is the defendant in this civil action filed by	12	so
13	Donna Soutter, whose attorneys are also here.	13	Q What is your training and educational
14	A Okay.	14	background in computer programming?
15	Q You and I spoke briefly on the phone yesterday	15	A John Tyler Community College.
16	about this case, didn't we?	16	Q And how often do you well, when you get
17	A (Indicating in the affirmative).	17	these Freedom of Information Act requests, tell me the
18	Q We've never met before, have we?	18	steps that you go through to fulfill one of those
19	A No.	19	requests from a programming standpoint.
20	Q And that was the only time we've ever talked	20	A The research first, what are they asking for,
21	about this case?	21	and we have so many table. Depends on what they are
22	A Exactly. That's correct.	22	asking for. So look at the table, the structure, how we
23	Q Would you tell us your current job title?	23	will retrieve the data.
24	A Programmer analysis.	24	Q Yes, ma'am. Were you asked in this case to
25	Q Who are you employed with?	25	provide certain data by Ms. Soutter's attorneys?

	Page 6		Page 7
1	A Yes.	1	table, introductory table. There's actually active and
2	Q And what database did you pull that	2	inactive also, and a hearing table.
3	information from?	3	Q Which tables did you search in the DB2
4	A Database or the table? It's the	4	database to create the list that was requested by
5	Q Okay. Let's make sure that I understand. The	5	Ms. Soutter's attorneys?
6	information that you pulled together to create the list	6	A Okay. Plaintiff and defendant/plaintiff
7	that was provided to Ms. Soutter's attorneys was pulled	7	table is the same table. It's one large table. Then
8	from certain tables that are maintained by the Virginia	8	order table, hearing table and court reference. These
9	Supreme Court; is that correct?	9	court reference goes with general district, criminal,
10	A That's correct. That's correct.	10	traffic cases and civil cases also. And reference, one
11	Q And are each of those tables stored in a	11	was a reference table. And I think there is one, two,
12	database?	12	three, four. Did I give you the four or
13	A Database, actually, yes.	13	Q Let me see if I have the four right.
14	Q And what is the name of the database in which	14	A Yes.
15	these tables are stored?	15	Q The defendant/plaintiff table is number one?
16	A This is a DB2 database.	16	A Yes.
17	Q How many tables are stored in the DB2 database	17	Q The order table is number two?
18	that relate to	18	A Yes.
19	A General district or	19	Q The hearing table is number three?
20	Q Yes, ma'am. In the how many tables are	20	A Yes.
21	there for the general district courts of Virginia civil	21	Q And the court reference table is number four?
22	divisions in the DB2 database?	22	A That's correct.
23	A Not off my hand, I mean, I cannot answer you	23	Q Those were the four tables within the DB2
24	because the I cannot tell you. There's pre,	24	database that you searched to create the list of
25	defendant/plaintiff table, order table, garnishment	25	information that was requested by Ms. Soutter's
	Page 8		Page 9
1	attorneys; is that right?	1	address.
2	A That's correct.	2	Q What information about judgments or
3	Q What information does the defendant/plaintiff	3	dispositions of judgments
4	table contain about court cases in the general district	4	A Each individual plaintiff or, plaintiff or
5	courts and circuit courts of Virginia?	5	defendant judgments.
6	A Circuit does not contain any general district	6	MR. KUGELMAN: Let him finish asking the
7	informations.	7	question first.
8	Q Okay. And let me just, while we're on that	8	THE WITNESS: Okay. I'm sorry.
9	subject, clarify this point. The information that you	9	BY MR. LOVE:
10	put together for plaintiff's counsel contains only	10	Q That's okay. I was going to ask I was
11	information from the general district courts; is that	11	shifting gears from the defendant/plaintiff table
12	correct?	12	A Okay.
13	A That's correct. That's correct.	13	Q to talk about the order table.
14	Q All right. So for the defendant/plaintiff	14	A Okay.
15	table, what information does that table contain about	15	Q So that you could tell us, if you would,
16	judgments or the dispositions of judgments in the	16	what's the information contained in the order table.
17	general district courts of Virginia?	17	A Okay. Order table, it's the case number also,
18	A Case number, the plaintiff and defendant	18	and the date of appeal noted, noted date and date of
19	names, defendant or plaintiff code, the sequence because	19	appeal perfected dates, attorney fees, satisfied
20	we have, in one case, it contained so many defendants,	20	indicator and a satisfied date, judgment satisfied date,
21	so many plaintiffs, so you have sequence in there also.	21	possession amount indicator, the principal awarded
22	Then a Social Security number, birthday, judgment code,	22	amount, other amount, cost amount, judgment amount,
23	address change indicator, name type code such as it is	23	mediation date, the mediation reside flags, interest
24	going to be civil cases as business, as I mean, trade	24	amount, writing issue date, appealed by who.
25	as, whatever. So you have identify which is it. Then	25	Q Okay. What information would be contained in

	Page 10		Page 11
1	the hearing table?	1	showing the date appeal noted and the date appeal
2	A Hearing, case number and hearing date, hearing	2	perfected?
3	results, the plea and hearing type, judge's initial,	3	A No, sir.
4	courtroom, its continue code, hearing time actually,	4	Q So that's the order table?
5	docket order. It's that this is going to be first or,	5	A That's the order table.
6	first hearing date or the flags, actually. And the	6	Q Okay. So for your purposes, the satisfactions
7	posting sequence numbers.	7	and appeals would be in the order table, and the vacated
8	Q And finally, what information is contained in	8	judgments would be in the defendant/plaintiff table; is
9	the court reference table?	9	that right?
10	A Court reference, it's court names, court	10	A That's correct, yes.
11	addresses, state, zip and telephone number, and a court	11	Q You produced some documents today. Let's just
12	type.	12	go ahead and mark those collectively as Exhibit 6.
13	Q Which of these tables would contain	13	
14	information indicating whether and when a judgment about	14	(Barnard Deposition Exhibit Number 6
15	a consumer had been satisfied?	15	was marked for identification)
16	A It's in order, satisfied indicator and the	16	
17	satisfied date, judgment satisfied dates.	17	BY MR. LOVE:
18	Q Which of these tables would indicate whether	18	Q Can you identify what's been marked as Exhibit
19	and when a judgment had been vacated?	19	6?
20	A It's in the plaintiff and defendant tables.	20	A This is Mr. Pitman, they asked, they
21	Q Which of these tables would indicate when a	21	actually, when they started, it's going to be 2001/01/01
22	judgment had been appealed? Is that the	22	through 2010/09/10.
23	A Order.	23	Q Is that the date range that you used to search
24	Q Would the I think you mentioned earlier	24	for the information requested by
25	that the hearing table would also contain information	25	A That's correct.
	Page 12		Page 13
1	Q ms. Soutter's attorneys?	1	plaintiff/defendant codes, actually, and principal
2	A Yes.	2	amount and judgment satisfied indicator and the date and
3	Q Okay. Is the information in the DB2 database	3	an address for plaintiff or defendant address, and
4	that you searched to prepare your list for Ms. Soutter's	4	judgment code for each individual. Then appeal
5	attorneys, does that information come from the general	5	perfected date, it's there or not, and court name.
6	district court case management database?	6	Q There are some handwritten numbers beside
7	A That's correct. That's correct.	7	A Oh, yes.
8	Q And would you agree that if any information in	8	Q Is that your handwriting?
9	the general district court databases is inaccurate, then	9	A That's my handwriting.
10	the information in the list that you prepared could also	10	Q And there are numbers one, two, three, four,
11	be inaccurate?	11	five, six, seven, eight and nine?
12	A Not that I know of. I can't answer that.	12	A Nine, yes.
13	Q Was Ms. Soutter's name on the list that you	13	Q Are those the nine
14	prepared for her attorneys?	14	A Items I pulled.
15	A Repeat it again, please.	15 16	Q items that you pulled
16	Q Was Donna Soutter, the plaintiff in this case,		A Yes. Q to create the list for Ms. Soutter's
17	was her name on the list of information that you	17 18	`
18 19	prepared for plaintiff's attorneys? A I didn't search for it.	19	attorneys? A That's correct.
20		20	Q And then below that first section, there's
21	Q Let's go back to Exhibit 6.A Yes.	21	also a three and a four beside DB2, INST1.GD CRT
22	Q If you would, please explain what the first	22	REFERENCE, then it says three. And below that, it says
		23	
	page of Exhibit Number 6 reflects	43	DB2INSTLCtv A nearing and 4. What does that mean with
23	page of Exhibit Number 6 reflects. A Liust retrieved the data, what is the		DB2INST1.GVA hearing and 4. What does that mean with that three and four handwritten notation?
	page of Exhibit Number 6 reflects. A I just retrieved the data, what is the requirement asked for. It's the names, case number,	24 25	that three and four handwritten notation? A One, two, three, four, those are the tables

	Page 14		Page 15
1	joined together, yes.	1	A That's correct.
2	Q That's an indication that you're searching the	2	Q Number four says judgment satisfied date. Is
3	reference table and the hearing table?	3	that where you searched for the judgment, the date the
4	A That's correct.	4	judgment was satisfied for any of these consumers who
5	Q And then up above where it says	5	had satisfied judgments?
6	A Plaintiff and defendant, that's a one	6	A That's correct.
7	actually, one.	7	Q Now, the list that you provided and let's
8	Q Let's just go through these one by one.	8	talk about judgments satisfied for just a minute.
9	A Okay.	9	A Yes.
10	Q Where you've indicated with the handwritten	10	Q This list only reflects the status of all of
11	note one above "name long," what were you searching for?	11	these court records as of the time that you prepared
12	A I just want to make sure what I search for and	12	this list; is that correct?
13	what they asked for, the criteria.	13	A That's correct.
14	Q Does that indicate that you searched for the	14	Q You didn't make any efforts to write a program
15	names of these various consumers who had judgments and	15	or search to go back in time to see how any of these
16	various dispositions?	16	particular judgments or dispositions were reporting at
17	A That's correct.	17	any time in the past, did you?
18	Q Number two says "case number" and then there's	18	A I don't understand that because the date
19	the handwritten two. Is that just where you searched	19	parameter is going to be 2001, going back to 2001
20	for the case number for all these cases?	20	through actually 2010. How are you going to go back to?
21	A Whether attached to these plaintiff or	21	I don't understand what you're asking, actually.
22	defendant, yes.	22	Q The list that you prepared goes back to
23	Q And number three says "award amount." Does	23	January 1 of 2001; right?
24	that just indicate that you searched for the amount of	24	A That's correct.
25	the judgment?	25	Q But it only shows the manner in which
	Page 16		Page 17
1	judgments and dispositions are reporting for consumers	1	Q Okay.
2	in Virginia in the general district court as of the time	2	A I don't know, the date wasn't up there, some
3	that you prepared this list; right?	3	of them.
4	A That's correct.	4	Q You don't know when it changed to add the
5	Q Now, if we look at number five, it says	5	date, but you
6	judgment satisfied and then it says "IND." What does	6	A That's correct.
7	that stand for?	7	Q But you would agree that at some point in the
8	A Indicator. Indicator.	8	computer system for the general district courts in
9	Q Okay. And what exactly did you search for	9	Virginia for satisfied judgments, it only indicated
10	when you searched for judgments satisfied indicator?	10	whether the judgment had been satisfied, yes or no, not
11	A We used to have only indicator, and the court	11	the date of the satisfaction?
12	requested we should put satisfied date also. So it's	12	A That's correct.
13	the satisfied date came in later than actually judgment	13	Q Who would know when that change occurred?
14	satisfied indicator. I cannot tell you when they put it	14	A We have log in each individual program when
15	in and the date it was installed.	15	they added to it.
16	Q So before under the court system and then the	16	Q Okay. Now, do you report to David Savage?
17	DB2 database, there was only an indicator saying whether	17	A Yes.
18	or not a judgment had been satisfied; is that right?	18	Q Would he have knowledge of when that change
19	A If they had a judgment satisfied indicator, it	19	occurred as far as you know?
20	is filled with X or Y, it is going to be satisfied.	20	A I do not have no idea. We do make so much
21	Q Okay. But under the old way of doing things,	21	changes every
22	it didn't have in the computer system the date that the	22	Q The process evolves and improvements are made,
23	judgment was satisfied; correct?	23	right?
24	A I cannot go back. I cannot go back how long	24	A Yes. Correct.
25	ago. So yes, that's correct.	25	Q Let's look at the next handwritten note here

	Page 18		Page 19
1	which is number six. It says A address line, A address	1	was marked as Exhibit 3 in a prior deposition.
2	line two. What does that mean? What did you search for	2	MR. LOVE: And if it's okay with counsel,
3	when you searched for address line and address line two?	3	we'll just call it Exhibit 3 here.
4	A Address line one is a house number and a	4	MR. BENNETT: Yes.
5	street. We only have two lines address, and an others	5	BY MR. LOVE:
6	line two is going to be it's city and state and ZIP	6	Q Can you identify that document that's marked
7	code. So you have to complete an address line one,	7	as Exhibit 3?
8	address line two to complete the address.	8	A Yes.
9	Q Did you only search for consumers with a	9	Q What is that document?
10	Virginia address?	10	A This is the reference for the civil cases, the
11	A No, every one of them.	11	HG screen and actually the hearing disposition screens.
12	Q So the people on this list could have	12	Oh, this one is no, the case entry. And this is,
13	addresses that were outside Virginia?	13	contains update screens and hearing disposition screens.
14	A That's correct.	14	Q Is this a document that reflects the codes
15	Q The next entry for number seven, the	15	that are used by the clerks of the general district
16	handwritten note seven says A judgment CD. What does	16	court to enter information about cases?
17	that mean?	17	A That's correct.
18	A It's judgment code for each individual	18	Q If you'd turn to page A5 of that document,
19	plaintiff or defendant code.	19	please.
20	Q And so what are the judgment codes that could	20	A Yes.
21	be used in that field, P or D?	21	Q Does page A5 contain information and codes
22	A P or D or you could find, it's the reference	22	that district court clerks can use in the general
23	right here, the vacated or dismissed for the I,	23	district courts throughout Virginia for entering
24	nonsuited, U, not found, or for the others.	24	information into their computer case management system
25	Q Okay. Let me ask you to take a look at what	25	about civil hearing dispositions in cases?
	Page 20		Page 21
1	A Yes.	1	marked as number seven on Exhibit 6?
2	Q And earlier when you were talking about the	2	A It's on the right-hand side on the second
3	different types of codes that could appear in the	3	third one. It's in the vacated plaintiff/defendant, for
4	judgment code field, if you look down in the bottom	4	each individual plaintiff or
5	left-hand corner of that page, there's a box that	5	Q Okay. I see where you're saying. Yes. If we
6	contains some codes. And one says A, vacated. The next	6	look on page A5 of Exhibit 3.
7	ones are P, plaintiff; D, defendant; I, dismissed; N,	7	A Yes.
8	nonsuit; U, not found/unserved, and O, other. Do you	8	Q There is a box on the upper right-hand side?
9	see that part?	9	A Yes.
10	A Yes, I do.	10	Q That contains the same codes that are listed
11	Q Are those the codes that could be included in	11	in the box that I just read on the bottom left-hand
12	the judgment code field that's marked as Exhibit 7 on	12	side?
13	Exhibit 6?	13	A Yes. Exactly.
14	A No.	14	Q So it's the same codes, but those codes are
15	Q Okay. What codes could be included in that	15	used both in the judgment field and they're also used in
16	field?	16	the case disposition field?
17	A Exhibit 6. Wait a minute. I'm sorry. What	17	A That's correct. That's case disposition
18	did you say, on Exhibit 6? Did you ask me Exhibit 6?	18	fields. It represent the cases. It's not individual
19	Q Sure. Let's go back to Exhibit 6 which is	19	judgment codes.
20	your program.	20	Q Okay. But going back to Exhibit 6 where
21	A Okay, my program, Exhibit 6, okay.	21	you've written number seven?
22	Q Look at your handwritten note number seven.	22	A Yes.
23	A Okay. Not correct on this one, no.	23	Q And it says judgment code?
	Q Where would I find the list of codes that	24	A For each individual because plaintiff or I
24 25	could be included in the judgment code field that you've	25	search for plaintiff or the defendant table.

	Page 22		Page 23
1	MR. BENNETT: It's like the CII indicator in	1	date?
2	Metro Two.	2	A Actually, I think it's what they're saying,
3	BY MR. LOVE:	3	it's appeal was set up. But it's the there is appeal
4	Q You searched under judgment codes for these	4	noted. We have two fields for the appeal noted and
5	judgment codes that are indicated in the box in the	5	appeal perfected.
6	upper right-hand corner on Exhibit 3 that has A,	6	Q Does the list that you provided to
7	vacated, P, plaintiff, D, defendant, I, dismissed, N,	7	Mr. Soutter's attorney contain the names of people who
8	nonsuit, U, not found/unserved, and O, other?	8	had appeal perfected?
9	A Well, it's not I only searched for vacated	9	A Yes.
10	persons. That's what I was requested.	10	Q Do you know whether, just because an
11	Q Okay. So when you wrote this program for	11	individual files an appeal and it shows up in the appeal
12	number seven there, you didn't search for all these	12	perfected column, whether that actually results well,
13	codes?	13	strike that.
14	A No.	14	MR. BENNETT: Could we go off the record for a
15	Q You only searched for the A code	15	second?
16	A Vacated.	16	MR. LOVE: Sure.
17	Q which was the vacated code?	17	
18	A Vacated code, yes.	18	(Discussion off the record)
19	Q Let's look at number eight on Exhibit 6, your	19	
20	handwritten note eight.	20	BY MR. LOVE:
21	A Okay.	21	Q So let's look at the next number which is CRT
22	Q It says "appeal PERF DT." What does that	22	name by nine. Does that mean court name?
23	stand for?	23	A Court name, yes.
24	A Appeal perfected date.	24	Q Does your list contain information from all
25	Q And what does that mean, appeal perfected	25	the general district courts in Virginia?
	Page 24		Page 25
1	A This one?	1	A Yes.
2	Q No, the list that you provided to	2	Q There are some abbreviations and codes and
3	Ms. Soutter's attorneys.	3	letters on this page. At the top it says GVPLTDEF.TXT.
4	A It does state, yes.	4	What does that mean?
5	MR. KUGELMAN: Let me just object to the form.	5	A This is copy book for using for our
6	Just for clarification, are you asking if the list	6	programming purposes. So it's a database to refer to.
7	itself contains or was drawn from every	7	This is more like a working storage. It's same layout
8	BY MR. LOVE:	8	with the database. We just move use this working
9	Q Let me ask it a different way. Does the list	9	storage to extract date from the database.
10	that you provided for Ms. Soutter's attorney, did you	10	Q Does the information on this page reflect the
11	search all the general district courts in Virginia to	11	elements that you used to search to create the list that
12	see whether they contained names of consumers who met	12	you gave to Ms. Soutter's attorneys?
13	these criteria?	13	A Yes, I did.
14	A Yes.	14	Q And this is basically the same elements that
15	Q Now, what does the rest of you made your	15	are reflected on the first page?
16	notes one through nine up in the top section. What does	16	A That's correct.
17	the rest of this page mean? What's the information	17	Q Let's take a look at the third page.
18	reflected there?	18	A Okay.
19	A What is the criteria. It's they are asking	19	Q Again, this just reflects on the third, fourth
20	for what kind of judgment code they asked for or the	20	and fifth and last page that, again, just reflects the
21	judgment satisfied indicator, it's present, or	21	elements that you searched in creating the list for
22	judgment the appeal perfect date is greater than	22	plaintiff's counsel?
23	whatever the date it exists.	23	MR. KUGELMAN: May I interject something?
24	Q Okay. Let's take a look at the next page of	24	MR. LOVE: Certainly.
25	Exhibit 6.	25	MR. KUGELMAN: I think it's going to clarify

	Page 26		Page 27
1	the record. Mamiko, these last four pages, these	1	A Yes.
2	are excerpts of the table, what's in tables?	2	Q This is the information contained in the
3	THE WITNESS: It's the table.	3	hearing table?
4	MR. KUGELMAN: These are the tables. This	4	A That's correct.
5	wasn't everything that was searched. These are the	5	Q Then on the next page, it says Table: GVA
6	tables you asked about earlier. So this is just	6	order. This is the information that is contained in the
7	what's in the tables.	7	order table?
8	MR. LOVE: I get it. Okay.	8	A That's correct.
9	MR. KUGELMAN: What's actually searched is in	9	Q And then finally, when we go to the next page,
10	the first page which has the code	10	it says Table: GD CRT reference. And this is the
11	THE WITNESS: Code that's in there, yes. I'm	11	information contained in the reference table?
12	sorry.	12	A Yes.
13	MR. KUGELMAN: in the database to filter it	13	Q And you didn't search for every, single item
14	out.	14	contained in these tables, you only searched for the
15	MR. LOVE: I see what you're saying.	15	limited elements that you've described already?
16	BY MR. LOVE:	16	A That's correct.
17	Q So let me ask it this way. If we go back to	17	Q You didn't look at any of the actual court
18	the second page of this exhibit.	18	records from Ms. Soutter's file in preparing the list
19	A Okay.	19	for the plaintiffs, did you?
20	Q At the top, it says Table: GVA PLT DEF. This	20	A No, sir.
21	is a summary of information that's contained in the	21	Q And you haven't seen any of Ms. Soutter's
22	plaintiff and defendant table; is that right?	22	credit reports, have you?
23	A Yes.	23	A No, sir.
24	Q And then if we go to the next page at the top,	24	Q And of course you haven't talked to
25	it says Table: GVA hearing.	25	Ms. Soutter?
	Page 28		Page 29
1	A No, sir.	1	A That's correct.
2	Q Let me show you what we'll mark as	2	Q So that's the information that would have come
3	MR. LOVE: Let's go off the record.	3	from the plaintiff-defendant table?
4	MR. BovE. Bets go on the record.	4	A That's correct.
5	(Discussion off the record, Barnard Deposition	5	Q Why does the list contain information about
6	Exhibit Number 7 was marked for identification)	6	defendants?
7	2	7	A Because they asked any judgment satisfied. I
8	BY MR. LOVE:	8	searched for anything judgment satisfied, that case, go
9	Q Ms. Barnard, can you identify this exhibit?	9	by the case or appeal perfected or the judgment code is
10	A Yes. This is the one I created.	10	equal to A as vacated. So by the case, it will pick
11	Q Is this the first page of the list that you	11	every one of them, defendant or plaintiff.
12	created at the request of Ms. Soutter's counsel?	12	Q Okay. So you searched for judgments, whether
13	A I do not have no idea.	13	it was a judgment in favor of the plaintiff or
14	Q Okay. Well, it's a page from the information	14	A Yes.
15	that you provided for Ms. Soutter's counsel; would you	15	Q judgment in favor of the defendant?
16	agree with that?	16	A Not in favor. Actually, it's only it's
17	A Yes.	17	criteria was they asked for judgment satisfied or the
18	Q If you would, let's just go through some of	18	appeal perfected or that the vacated. It's actually the
19	these examples starting at the top.	19	judgment code was vacated. So I did not know it's going
20	A Uh-huh.	20	to be vacated, it's going to be defendant only, so I
21	Q The first column says name, and underneath it	21	pulled every one of them.
22	says Beam's Painting. Then it says under the next field	22	Q Okay. Did you filter out judgments or
23	across PLT-DEF?	23	dispositions of judgments that were in favor of
24	A Yes.	24	businesses instead of individual consumers?
25	Q Does PLT-DEF stand for plaintiff-defendant?	25	A The requirement came in defendant and the

address line two. Are those addresses that existed for that particular plaintiff or defendant at a particular point in time? A I don't have no idea, no. Q And if we look at some of these examples, even the first one, for example, Beam's Painting, it says at the first one, for example, Beam's Painting, it says at the judgment satisfied 8/19/2002; it's possible that Q This list doesn't reflect the current address that existed for Q And if we look at some of these examples, even the first one, for example, Beam's Painting, it says the addresses in address line one and address line two		Page 30		Page 31
2 we should put on business name, he said just the plaintiff or defendant. That's all I palled. 4 Q. Okay. So on this list, for example, we see 5 under the first name, it says Beam's Painting? 6 A Yes. 7 Q. And then further on down, we see the University of Brown. And then we also see further down, about midway, Columbia Propane Corporation. Then we see Phillips Building Supply. All of those that I just mentioned would be judgments or dispositions related to companies, not individuals; is that right? 13 A That's correct. 14 Q. Under the column that says award amount? 15 A Yes. 16 Q. Is that the amount of the judgment that was entered in the armount of S200; correct? 17 A Yes. 18 Love I and that you perovided wouldn't reflect when the satisfied, in that you provided wouldn't reflect when the satisfied, in that you provided wouldn't reflect when the satisfied, in that you provided wouldn't reflect when the satisfied, in the first column under name? 19 A John't know. This is the principal awarded an idea. It's – I just extracted that date. 20 Q. Okay. So for the first one, for example, for an idea the satisfied and there are some Ys and Xs. Q. Okay. So for the first one, for example, for A That's correct. 21 A That's correct. 22 A Yes. 23 Suys judgment satisfied and there are some Ys and Xs. A Satisfied, that's correct. 34 Q. Obe that mean that it's indicating that that particular judgment was satisfied? 35 A Yes. 36 Q. Oh, "X" also means that the judgment was satisfied? 36 A That's correct. 37 Q. Oh, "X" also means that the judgment was satisfied? 38 A Satisfied, that's correct. 39 Q. Oh, "X" also means that the judgment was satisfied? 40 A Satisfied, that's correct. 41 Q. Either a "Y" or an "X"? 42 A Yes. 43 Chort know. This is doce that date. 44 Chort know. This or or a saint side and the search of the proposed that was a satisfied? 45 A That's correct. 46 A That's correct. 47 A That's correct. 48 A That's correct. 49 Chest the man that it's indicating that that particular judgment was satisfied? 40 A Satisfied	1	plaintiff. I asked Dave Savage what we should do on it.	1	O But we don't know whether that was in favor of
3	2		2	-
4 A That's correct. But judgment is against it— 1 don't have — I can't answer you. 2 A Yes. 3 Definition and the me also see further down, about midway, Columbia Propane Corporation. Then we see the Philip's Building Supply. All of those that I just mentioned would be judgments or dispositions related to companies, not individuals; is that right? 2 O Under the column that says award amount? 3 A That's correct. 4 Q Under the column that says award amount? 4 A Yes. 4 A Yes. 4 A Yes. 5 I Sow So I shat the amount of the judgment that was entered in favor of or against the entity or individual amount in a case. I don't know favor or — I don't have in idea. It's — I just extracted that date. 4 A That's correct. 5 Do the Vs mean yes? 5 I A Yes. 6 Q Dos Shat mean that it's indicating that that particular judgment was entered in the amount of \$200; correct? 5 A Yes. 6 A That's correct. 7 D Q And then the "X," does that mean — 8 A Same. They could have used X or Y, either way. 9 Way. 10 Q Oh, "X' also means that the judgment was satisfied? 11 A That's correct. 12 A That's correct. 13 A That's correct. 14 A Yes. 15 Q Now, he next heading is called "date judgment satisfied." 16 A Yes. 17 A Yes. 18 A Yes. 19 Q Now, he next heading is called "date judgment satisfied." 10 Q Now, be for the indepment that was entered in the individual that particular judgment was entered to the individual. 16 Collect this data. Does that mean that judgment was entered in the amount of \$200; correct? 20 Q Now, So for the first one, for example, for 20 A That's correct. 11 Page 32 12 So the Vs mean yes? 3 A Yes. 4 Q Does that mean that it's indicating that that particular judgment was satisfied? 4 A That's correct. 5 Q Oh, "X' also means that the judgment was satisfied? 5 A That's correct. 6 A That's correct. 9 Q Oh, "X' also means that the judgment was satisfied? 12 A Satisfied, has the mean that it's indicating that that particular judgment was entered in the amount of \$200; correct? 2 A Same. They co	3		3	
5 Under the first name, it says Beam's Painting? 6 A Yes. 7 Q And then further on down, we see the 8 University of Brown. And then we also see further down, 9 about midway, Columbia Propane Corporation. Then we see 10 Phillip's Building Supply. All of those that I just 11 mentioned would be judgments or dispositions related to 12 companies, not individuals; is that right? 13 A That's correct. 14 Q Under the column that says award amount? 15 A Yes. 15 Q You said earlier that you went back to 2001 to 16 Q Is that the amount of the judgment that was 17 entered in favor of or against the entity or individual 18 that's listed in the first column under name? 19 A I don't know. This is the principal awarded 10 amount in a case. I don't know favor or -1 don't have 10 no idea. It's -1 just extracted that date. 10 Q Okay. So for the first one, for example, for 11 says judgment satisfied and there are some Ys and Xs, 12 Do the Y's mean yes? 13 A Yes. 14 Q Does that mean that it's indicating that that 15 particular judgment was satisfied? 16 Q And then the "X," does that mean 17 Q And then the "X," does that mean 18 A Same. They could have used X or Y, either 18 way. 19 Q Oh, "X" also means that the judgment was 10 Q Oh, "X" also means that the judgment was 11 satisfied; is that right? 12 A Satisfied, that's correct. 13 Q So the court clerks can use two letters to 16 indicate that a judgment has been satisfied? 17 A Yes. 18 A Yes. 19 Q Oh, "X" also means that the judgment was 19 Q Oh, "X" also means that the judgment was 10 Q Oh, "X" also means that the judgment was 11 a statisfied; is that right? 12 A Satisfied, that's correct. 13 Q Now, next heading is called "date judgment that was collect this data. Does that mean that it's indicating that that propagate that was there was a start in the judgment was satisfied? 16 Q International part of the propagate of the satisfied on the satisfied on the courts. I don't have no idea the satisfied, no, I don't have no idea the satisfied, no, I don't have no idea the satisfied,		•	l .	
6 MR. ERAUSQUIN: Can we go off the record for a second? 7 Q And then further on down, we see the 8 University of Brown. And then we also see further down, about midway, Columbia Propane Corporation. Then we see of Phillips Building Supply. All of those that I just mentioned would be judgments or dispositions related to companies, not individuals; is that right? 13 A That's correct. 14 Q Under the column that says award amount? 15 A Yes. 16 Q I shat the amount of the judgment that was entered in favor of or against the entity or individual that's listed in the first column under name? 18 that's listed in the first column under name? 19 A I don't know. This is the principal awarded amount in a case. I don't know favor or —I don't have no idea. It's —I just extracted that date. 20 Q Okay. So for the first one, for example, for a moiden. It's —I just extracted that date. 21 Q Okay. So for the first one, for example, for a moiden. It's —I just extracted that date. 22 Q Okay. So for the first one, for example, for a moiden. It's —I just extracted that date. 23 A That's correct. That's correct. 24 A Yes. 25 Do the Ys mean yes? 26 A Yes. 27 Q And then the "X." does that mean hat it's indicating that that particular judgment was satisfied? 28 A Same. They could have used X or Y, either way. 29 Q Oh, "X" also means that the judgment was satisfied." 20 A Gond then the "X." does that mean —A A Same. They could have used X or Y, either way. 20 Q Oh, "X" also means that the judgment was satisfied? 30 A Yes. 41 Q Dos that mean that it's indicating that that indicate that a judgment has been satisfied? 42 A Same. They could have used X or Y, either way. 43 A Yes. 44 Q Dos that mean that it's indicating that that indicate that a judgment has been satisfied? 45 A That's correct. 46 A That's correct. 47 Q And then the "X." does that mean —A A Same. They could have used X or Y, either way. 48 A Yes. 49 Q Oh, "X" also means that the judgment was satisfied? 40 A Same. They could have used X or Y, either way. 41 A Yes. 42 Q Dos the c		·	l .	
7 Q And then further on down, we see the 8 University of Brown. And then we also see further down, 9 about midway, Columbia Propane Corporation. Then we see 10 Phillip's Building Supply. All of those that I just 11 mentioned would be judgments or dispositions related to 12 companies, not individuals; is that right? 13 A That's correct. 14 Q Under the column that says award amount? 15 A Yes. 16 Q Is that the amount of the judgment that was 17 entered in favor of or against the entity or individual 18 that's listed in the first column under name? 19 A I don't know. This is the principal awarded 20 amount in a case. I don't know favor or - I don't have 10 in oidea. If's - I just extracted that date. 21 Q Oxay. So for the first one, for example, for 22 A That's correct. 23 Beam's Painting, the award amount, we know that a 24 judgment was entered in the amount of \$200; correct? 25 A That's correct. 26 A That's correct. 27 Q And then the "X," does that mean that it's indicating that that puriticular judgment was satisfied? 28 A Same. They could have used X or Y, either 29 way. 20 Q Oh, "X" also means that the judgment was 21 satisfied: a Satisfied. 22 A Same. They could have used X or Y, either 24 way. 25 A That's correct. 26 A That's correct. 27 Q So the court clerks can use two letters to indicate that a judgment has been satisfied? 28 A That's correct. 39 Q Oh, "X" also means that the judgment was 30 dardess line two. Are those addresses that existed for that particular plaintiff or defendant at a particular plaintiff or defendant that are in the list, that defress in the work of the sex ample, seem's that we cample, seem's that courted by the court back of the surface of the courted by the court back.			l .	
University of Brown. And then we also see further down, point and propage Corporation. Then we see 9 Phillip's Building Supply. All of those that I just mentioned would be judgment or dispositions related to companies, not individuals; is that right? 12 2 2 2 3 A That's correct. 13 3 A That's correct. 15 A Yes. 15 Q You said earlier that you went back to 2001 to collect this data. Does that mean that you seen that was effect when the satisfied as far back as 2001? A That's correct. 16 A That's correct. 17 A Yes. 17 A Yes. 18 A That's correct. 18 A That's correct. 19 A Sanisfied; is that right? 10 A Sanisfied; is that right? 11 A Sanisfied; is that right? 11 A Sanisfied; is that right? 11 A Yes. 15 A Yes. 16 A That's correct. 17 A Yes. 17 A Yes. 18 A Yes. 19 A Sanisfied; is that right? 19 A Sanisfied; is that right? 11 A Yes. 16 A That's correct. 17 A Yes. 17 A Yes. 18 A Yes. 19 A Sanisfied; is that right? 19 A Sanisfied; is that right? 11 A Yes. 19 A That's correct. 19 A Sanisfied; is that right? 11 A Sanisfied; is that right? 11 A Yes. 11 A Yes. 12 A Individuals in the first plant if the world in the				
about midway. Columbia Propane Corporation. Then we see possibility Suilding Supply. All of those that I just mentioned would be judgments or dispositions related to companies, not individuals; is that right? A That's correct. Q Under the column that says award amount? A Yes. O Is that the amount of the judgment that was centered in favor of or against the entity or individual that sites of in favor of or or against the entity or individual that it's limit and the no idea. It's — just extracted that date. A I don't know. This is the principal awarded no idea. It's — just extracted that date. Q Okay. So for the first one, for example, for a painting, the award amount, we have a judgment was entered in the amount of \$200; correct? A That's correct. Page 32 1 says judgment satisfied and there are some Ys and Xs. D to the Ys mean yes? A Yes. D ob the Ys mean uses a fired? A That's correct. Q And then the "X." does that mean that it's indicating that that particular judgment was satisfied? A That's correct. Q And then the "X." does that mean. A Same. They could have used X or Y, either way. Q Oh, "X" also means that the judgment was satisfied: is that right? A Yes. A Satisfied, "a Yes. A Yes. A Satisfied, "a Yes. A Yes. A Satisfied, "a Yes, "a Yes				Second.
10 Phillip's Building Supply. All of those that I just mentioned would be judgments or dispositions related to companies, not individuals; is that right? 12 2 Other the column that says award amount? 14 4 Other the column that says award amount? 14 4 Other the column that says award amount? 14 A Yes. 15 A Yes. 15 Q You said earlier that you went back to 2001 to collect this data. Does that mean that you searched for entered in favor of or against the entity or individual that's listed in the first column under name? 18 Mars listed in the first column under name? 18 Mars listed in the first column under name? 18 Mars listed in the first column under name? 18 Mars listed in the first column under name? 18 Mars listed in the first one, for example, for amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know that amount in a case. I don't know favor or -1 don't have amount in a case. I don't know that amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't know favor or -1 don't have amount in a case. I don't		· · · · · · · · · · · · · · · · · · ·	l .	(Discussion off the record)
mentioned would be judgments or dispositions related to companies, not individuals; is that right? A That's correct. Q Under the column that says award amount? A Yes. Q Is that the amount of the judgment that was entered in favor of or against the entity or individual that is listed in the first column under name? A Idon't know. This is the principal awarded no idea. It's – I just extracted that date. Q Okay. So for the first one, for example, for or deam's painting, the award amount, we know that a judgment was entered in the amount of \$200; correct? A That's correct. Page 32 That's correct. Page 32 A Yes. Q Does that mean that it's indicating that that particular judgment was satisfied? A That's correct. Page 33 A Wes. Q Does that mean that it's indicating that that particular judgment was satisfied? A That's correct. Page 31 A Wesll. A Well. MR. KUGELMAN: I'm going to just object generally to foundation. I mean, in fairness to the deponent, she's here as a programmer. She deals with the fields. She deals with the data in the fields but she doesn't know what they mean. A Jatisfied, it shat right? A Yes. Q Oh, "X" also means that the judgment was satisfied? A That's correct. A Well. MR. KUGELMAN: I'm going to just object generally to foundation. I mean, in fairness to the deponent, she's here as a programmer. She deals with the fields. She deals with the data in the fields but she doesn't know what they mean. And I think from Mr. Mittendorf's deposition, it's clear that it's way. You don't know whether the addresses that are listed in address line one or address line two. Are those addresses that existed for that particular plaintiff or defendant at a particular point in time? A Yes. Q This list doesn't reflect the current addresse of the addresses in and addresses line two of ould be addresses in an addresses line two of ould be addresses that are rentered by the court back of ould be addresses that were nettered by the court back of ould be addresses that were nettered by the co			-	(Discussion on the record)
companies, not individuals; is that right? A That's correct. A Yes. O Under the column that says award amount? A Yes. Is that the amount of the judgment that was entered in favor of or against the entity or individual that's listed in the first column under name? A Idon't know. This is the principal awarded mount in a case. I don't know This is the principal awarded mount in a case. I don't know This is the principal awarded mount in a case. I don't know This is the principal awarded mount in a case. I don't know This is the principal awarded mount was centered in the amount of \$200; correct? O Cokay. So for the first one, for example, for casmple, for a Judgment was entered in the amount of \$200; correct? A That's correct. That's correct. Page 32 Says judgment satisfied and there are some Ys and Xs. O Does that mean that it's indicating that that particular judgment was satisfied? A That's correct. O Does that mean that it's indicating that that particular judgment was satisfied? A That's correct. A Same. They could have used X or Y, either way. O Oh, "X" also means that the judgment was satisfied, that's correct. A Satisfied, is that right? A Satisfied, that's correct. A Satisfied, that's correct			l .	BY MR LOVE:
A That's correct. Q Under the column that says award amount? A Yes. Q Is that the amount of the judgment that was entered in favor of or against the entity or individual that's listed in the first column under name? A I don't know. This is the principal awarded amount in a case. I don't know favor or I don't have no idea. It's I just extracted that date. Q Okay. So for the first one, for example, for no idea. It's I just extracted that date. Q Okay. So for the first one, for example, for no idea. It's I just extracted that date. A That's correct. Page 32 A Yes. Do the Ys mean yes? A Yes. Q Obe Sthat mean that it's indicating that that particular judgment was satisfied. A That's correct. A Same. They could have used X or Y, either way. Q Oh, "X" also means that the judgment was satisfied; is that right? A Satisfied, it at a judgment has been satisfied? A That's correct. A Same. They could have used X or Y, either way. Q Oh, "X" also means that the judgment was satisfied; is that right? A That's correct. A Satisfied, it at a judgment has a particular point in time? A Yes. Q This list doesn't reflect the current address and dadresse in address line one and addresses that are in the list, and feel addresses that are entered by the court back a Yes. A Yes. C That's correct. A Satisfied, that's correct. A Same. They could have used X or Y, either way. A Yes. Q So the court clerks can use two letters to indicate that a judgment has been satisfied? A That's correct. A Yes. A Yes. A Yes. C That's correct. A Satisfied, that's correct. A Same. They could have used X or Y, either way. A Yes. A Yes. A Yes. A Yes. A Yes. A Yes. A Same. They could have used X or Y, either way. A Yes. A Same. They could have used X or Y, either way. A Yes. A Same. They could have used X or Y, either way. A Yes. A Same. They could have used X or Y, either way. A Yes. A Yes		* *	l .	
14 Q Under the column that says award amount? 15 A Yes. 15 Q You said earlier that you went back to 2001 to collect this data. Does that mean that you searched for judgment in a case. I don't know. This is the principal awarded amount in a case. I don't know favor or I don't have no idea. It's I just extracted that date. 20 Q Okay. So for the first one, for example, for 22 judgment was entered in the amount of \$200; correct? 21 a judgment was entered in the amount of \$200; correct? 22 A That's correct. 23 Beam's Painting, the award amount, we know that a 24 judgment was entered in the amount of \$200; correct? 24 2 A That's correct. That's correct. 25 A That's correct. 26 Page 32 27 Page 32 28 Page 33 29 A Yes. 20 Do the Ys mean yes? 31 A Yes. 32 Do the Ys mean yes? 33 A Yes. 44 Q Does that mean that it's indicating that that 5 particular judgment was satisfied? 45 A That's correct. 46 A That's correct. 47 Q And then the "X," does that mean 4 A Same. They could have used X or Y, either way. 48 Way. 49 Q Do, "X" also means that the judgment was satisfied? 40 Q Oka, "X" also means that the judgment was autisfied. 41 indicate that a judgment has been satisfied? 42 A Yes. 43 Q So the court clerks can use two letters to 14 indicate that a judgment has been satisfied? 44 A Yes. 45 Q Okay. So for the first one, for example, for 20 was the mean that it's indicate that a judgment was actually filed at the courthouse, would it? 46 A That's correct. 47 Q Okay. But the list that you provided wouldn't reflect when the satisfaction was actually filed at the courthouse, would it? 48 A That's correct. 49 Q Okay. But the list that you provided wouldn't reflect when the satisfaction was actually filed at the courthouse, would it? 49 A That's correct. 40 A Mat then the satisfaction was actually filed at the courthouse, would it? 41 A Well. 42 A Well. 43 A Well. 44 Well. 45 A Well. 46 Well. 47 Well. 48 Well. 49 Well. 40 A Well. 40 Well. 41 Well. 41 Well. 42 Well. 41 Well. 42 Well. 43 Well. 44 Well. 44 Well. 45 Well. 46 Wel			l .	-
A Yes. Q Is that the amount of the judgment that was entered in favor of or against the entity or individual that's listed in the first column under name? A I don't know. This is the principal awarded amount in a case. I don't know favor or -1 don't have no idea. It's -1 just extracted that date. Q Okay. So for the first one, for example, for loughment was entered in the amount of \$200; correct? A That's correct. Page 32 A Yes. Do the Ys mean yes? A Yes. Q Ohos that mean that it's indicating that that particular judgment was satisfied? A Same. They could have used X or Y, either way. Q Oh, "X" also means that the judgment was satisfied; is that right? A Satisfied, that's correct. Q So the court clerks can use two letters to indicate that a judgment has been satisfied? A Yes. Q Now, next it says address line one, and address line two. Are those addresses that existed for that particular plaintiff or defendant at a particular point in time? A Yes. Q This list doesn't reflect the current address in eone and addresses that ere intel ist. that you searched for judgments that staisfied as far back as 2001? to collect this data. Does that mean that you searched for judgments that shabe en satisfied as far back as 2001? to collect this data. Does that mean that you searched for judgments that able collect this data. Does that mean that you guented as far back as 2001? A That's correct. Q Okay. So for the first one, for example, for count of the we not idea the satisfied and the courts. I don't have no idea the satisfied, no, I do ont. It depends on the courts. I don't have no idea the satisfied, no, I do ont. It depends on the courts. I don't have no idea the satisfied, no, I do ont. It depends on the courts. I don't have no idea the satisfied and there are some Ys and Xs. A Well			l .	
16 Q Is that the amount of the judgment that was entered in favor of or against the entity or individual that is itsed in the first column under name? 18 A That's correct. 19 A I don't know. This is the principal awarded amount in a case. I don't know favor or – I don't have no idea. It's – I just extracted that at date. 20 Q Okay. So for the first one, for example, for 21 pages 32 pages and page in the award amount, we know that a 22 pages 32 page 32 pages 32 pages 32 pages 32 pages 33 pages 34 pages 35 pages 34 pages 35 pages 36 pages 37 pages 37 pages 38 pages 39 pag		•	l .	
entered in favor of or against the entity or individual that's listed in the first column under name? A I don't know. This is the principal awarded amount in a case. I don't know favor or —I don't have no idea. It's — I just extracted that date. Q Okay. So for the first one, for example, for Beam's Painting, the award amount, we know that a judgment was entered in the amount of \$200; correct? A That's correct. Page 32 Page 33 says judgment satisfied and there are some Ys and Xs. Do the Ys mean yes? A Yes. Q Does that mean that it's indicating that that particular judgment was satisfied? A That's correct. A Same. They could have used X or Y, either way. Q Oh, "X" also means that the judgment was satisfied, is that right? A Satisfied, that's correct. Q So the court clerks can use two letters to indicate that a judgment has been satisfied? A That's correct. Q Now, next it says address line one, and address line two. Are those addresses that existed for that particular plaintiff or defendant at a particular point in time? A Yes. Q This list doesn't reflect the current address of the set plaintiffs and defendants that are in the list, and that are in the list, and that had been satisfied and there are some? A Yes. A Yes. Q This list doesn't reflect the current address of or the particular plaintiffs and defendants that are in the list, and the death and the court of the particular plaintiffs and defendants that are in the list, and the satisfication was actually filed at the courthouse, would it? A That's correct. A That's correct. A Well — A MR KUGELMAN: I'm going to just object generally to foundation. I mean, in fairness to the deponent, she's here as a programmer. She deals with the fields. She deals with the data in the fields by the doesn't know what they mean. A Satisfied, is that right? A Satisfied, that's correct. BY MR. LOVE: Okay. A That's correct. A That's correct. A That's correct. A			l .	•
that's listed in the first column under name? A I don't know. This is the principal awarded amount in a case. I don't know Aror I don't have no idea. It's I just extracted that date. Q Okay. So for the first one, for example, for Beam's Painting, the award amount, we know that a judgment was entered in the amount of \$200; correct? A That's correct. That's correct. Page 32 A Yes. Q Oh May. So for the first one, for example, for A That's correct. That's correct. Page 32 A That's correct. That's correct. Page 32 A Yes. Q Does that mean that it's indicating that that particular judgment was satisfied? A That's correct. Q And then the "X," does that mean A Same. They could have used X or Y, either way. Q Oh, "X" also means that the judgment was satisfied; is that right? A Satisfied, that's correct. Q Oh, "X" also means that the judgment was satisfied; is that right? A That's correct. Q So the court clerks can use two letters to indicate that a judgment has been satisfied? A That's correct. Q Now, next it says address line one, and address line two. Are those addresses that existed for that particular plaintiff or defendant at a particular point in time? A Yes. Q This list doesn't reflect the current address A That's correct by the court back A That's correct. A That's correct. A Well MR. KUGELMAN: I'm going to just object generally to foundation. I mean, in fairness to the deponent, she's here as a programmer. She scar that it's whatever was entered when the case was filed. MR. LOVE: Understood. I appreciate that. BYMR. LOVE: A Yes. Q Let me ask it this way. You don't know whether the addresses that are listed in address line two address line two			l .	· · · · · · · · · · · · · · · · · · ·
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A Satisfied, that's correct. Q So the court clerks can use two letters to indicate that a judgment has been satisfied? A That's correct. Q Either a "Y" or an "X"? A Yes. Q Now, next it says address line one, and address line two. Are those addresses that existed for point in time? A Yes. Q And if we look at some of these examples, even the first one, for example, Beam's Painting, it says address line two of these plaintiffs and defendants that are in the list, or the plaintiffs and defendants that are in the list, are point in time? A Satisfied, that's correct. BY MR. LOVE: BY MR. LOVE: C Let me ask it this way. You don't know whether the addresses that are listed in address line one or address line two are the current addresses for any of the people in this list; is that correct? A I don't have no idea, no. Q And if we look at some of these examples, even the first one, for example, Beam's Painting, it says date judgment satisfied 8/19/2002; it's possible that the addresses in address line one and address line two could be addresses that were entered by the court back			11	· · · · · · · · · · · · · · · · · · ·
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14 indicate that a judgment has been satisfied? 15 A That's correct. 16 Q Either a "Y" or an "X"? 16 A Yes. 17 O Now, next it says address line one, and 18 address line two. Are those addresses that existed for 19 address line two. Are those addresses that existed for 20 that particular plaintiff or defendant at a particular 21 point in time? 22 A Yes. 23 Q This list doesn't reflect the current address 24 of these plaintiffs and defendants that are in the list, 25 Q Let me ask it this way. You don't know whether the addresses that existed in address line 26 A Let me ask it this way. You don't know whether the addresses that are listed in address line 27 one or address line two are the current addresses one and addresses for 28 A I don't have no idea, no. 29 Q And if we look at some of these examples, even the first one, for example, Beam's Painting, it says 20 date judgment satisfied 8/19/2002; it's possible that the addresses in address line one and address line two could be addresses that were entered by the court back			13	
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A Yes. Q Now, next it says address line one, and address line two. Are those addresses that existed for that particular plaintiff or defendant at a particular point in time? A Yes. Q This list doesn't reflect the current address 20 one or address line two are the current addresses for any of the people in this list; is that correct? A I don't have no idea, no. Q And if we look at some of these examples, even the first one, for example, Beam's Painting, it says date judgment satisfied 8/19/2002; it's possible that the addresses in address line one and address line two of these plaintiffs and defendants that are in the list, 24 could be addresses that were entered by the court back				- · · · · · · · · · · · · · · · · · · ·
Q Now, next it says address line one, and address line two. Are those addresses that existed for that particular plaintiff or defendant at a particular point in time? A Yes. Q This list doesn't reflect the current address Q these plaintiffs and defendants that are in the list,			17	one or address line two are the current addresses for
address line two. Are those addresses that existed for that particular plaintiff or defendant at a particular point in time? A I don't have no idea, no. Q And if we look at some of these examples, even the first one, for example, Beam's Painting, it says date judgment satisfied 8/19/2002; it's possible that Q This list doesn't reflect the current address the addresses in address line one and address line two of these plaintiffs and defendants that are in the list, 24 could be addresses that were entered by the court back	18		18	any of the people in this list; is that correct?
that particular plaintiff or defendant at a particular point in time? A Yes. Q This list doesn't reflect the current address of these plaintiffs and defendants that are in the list, D And if we look at some of these examples, even the first one, for example, Beam's Painting, it says date judgment satisfied 8/19/2002; it's possible that the addresses in address line one and address line two could be addresses that were entered by the court back		- · · · · · · · · · · · · · · · · · · ·		
point in time? 21 the first one, for example, Beam's Painting, it says 22 A Yes. 23 Q This list doesn't reflect the current address 24 of these plaintiffs and defendants that are in the list, 25 the first one, for example, Beam's Painting, it says 26 date judgment satisfied 8/19/2002; it's possible that 27 the first one, for example, Beam's Painting, it says 28 date judgment satisfied 8/19/2002; it's possible that 29 could be addresses that were entered by the court back			20	
A Yes. Q This list doesn't reflect the current address Q these plaintiffs and defendants that are in the list, date judgment satisfied 8/19/2002; it's possible that the addresses in address line one and address line two could be addresses that were entered by the court back				
Q This list doesn't reflect the current address the addresses in address line one and address line two for these plaintiffs and defendants that are in the list, could be addresses that were entered by the court back	21			
of these plaintiffs and defendants that are in the list, 24 could be addresses that were entered by the court back	21 22	•	22	date judgment satisfied 8/19/2002; it's possible that
•		A Yes.		• •
	22	A Yes. Q This list doesn't reflect the current address	23	the addresses in address line one and address line two

	Page 34		Page 35
1	A I can't answer that.	1	particular case?
2	Q If we look at the next heading, it says	2	A That's correct.
3	"judgment CD." Does that stand for judgment code?	3	Q And the ones that have dates mean that an
4	A That's correct.	4	appeal was perfected on the dates that's reflected in
5	Q And these are all "P" codes; is that right?	5	that column?
6	A "P" for plaintiff, yes.	6	A That's correct.
7	Q "P" for plaintiff. What does that mean when	7	Q And then the last column is court name, and
8	it says "P" under the judgment code heading?	8	that's the name of the particular general district court
9	MR. KUGELMAN: I will just say for Ms. Barnard	9	in Virginia in which the particular judgment was filed?
10	that she doesn't have any of the understanding of	10	A That's correct.
11	the legal implications of the codes or what the	11	Q Did you contact any of the clerks for the
12	code meanings are. She just understands what the	12	various general district courts as part of preparing
13	code matches with as far as what it designates.	13	this list for Ms. Soutter's counsel?
14	But as far as the legal implications go, she	14	A No.
15	doesn't know. She wants to answer your question, I	15	
16	can assure you, but	16	Q Did you undertake any efforts to audit the
17	BY MR. LOVE:	17	information that you prepared to see whether it accurately and correctly reflected the information in
18	Q Do you know what the "P" stands for?	18	the Supreme Court of Virginia's database?
19	A Plaintiff. That's all I know, but	19	=
20		20	A Yes, I did.
21	7 11		Q What audit steps did you take? A I did a spot check, audits, the actual court
22	mean appeal perfected date? A That's correct.	21 22	1
23		23	cases. But I did not particular cases to look at it but
24	Q And some of the lines or cases have blanks and	24	I just spot check it, it's right order, whatever I pull,
	then some have dates. Is it correct that the ones that		and all the criteria.
25	are blank mean no appeal was perfected for that	25	Q How many did you spot check as part of that
	Page 36		Page 37
1	process?	1	EXAMINATION
2	A Maybe 20.	2	BY MR. BENNETT:
3	Q And when you spot checked, did you go to the	3	Q We met just before the deposition. My name is
4	Supreme Court of Virginia's website and see what	4	Leonard Bennett. I represent Donna Soutter in this
5	information was on the website and compare it against	5	case.
6	the list that had been run?	6	A Okay.
7	A Not on the website, actual court date.	7	Q And we have sued Equifax. The basis for the
8	Q From the general district court case	8	allegation is a claim that it violated the Fair Credit
9	management system?	9	Reporting Act because, by our allegation, it has no
10	A Yes. Yes.	10	system in place to regularly pick up post-judgment
11	Q So you prepared your list, and then for 20 or	11	events like satisfied, vacated and appealed.
12	so of these cases you went to the general district court	12	What do you know about the case?
13	case management system and compared what was on that	13	A I do not have no idea.
14	system to what was on the list?	14	Q As I understand, Mr. Macon is a lawyer with
15	A Yes.	15	the executive secretary of the Supreme Court of
16	Q Did all that match up?	16	Virginia?
		17	A That's correct.
17	A Yes.		
17 18	MR. LOVE: Those are all the questions I have.	18	Q And he was contacted by our group and asked to
17 18 19	MR. LOVE: Those are all the questions I have. Thank you.	18 19	obtain information from the supreme court.
17 18 19 20	MR. LOVE: Those are all the questions I have. Thank you. THE WITNESS: Thank you.	18 19 20	obtain information from the supreme court. A That's correct.
17 18 19 20 21	MR. LOVE: Those are all the questions I have. Thank you. THE WITNESS: Thank you. MR. KUGELMAN: They get to ask you some	18 19 20 21	obtain information from the supreme court. A That's correct. Q Then you were charged with the task of taking
17 18 19 20 21 22	MR. LOVE: Those are all the questions I have. Thank you. THE WITNESS: Thank you. MR. KUGELMAN: They get to ask you some questions, too.	18 19 20 21 22	obtain information from the supreme court. A That's correct. Q Then you were charged with the task of taking the information the lawyers may have tried to figure out
17 18 19 20 21 22 23	MR. LOVE: Those are all the questions I have. Thank you. THE WITNESS: Thank you. MR. KUGELMAN: They get to ask you some questions, too. THE WITNESS: Oh, I'm sorry.	18 19 20 21 22 23	obtain information from the supreme court. A That's correct. Q Then you were charged with the task of taking the information the lawyers may have tried to figure out and turning it into something a computer would
17 18 19 20 21 22	MR. LOVE: Those are all the questions I have. Thank you. THE WITNESS: Thank you. MR. KUGELMAN: They get to ask you some questions, too.	18 19 20 21 22	obtain information from the supreme court. A That's correct. Q Then you were charged with the task of taking the information the lawyers may have tried to figure out

	Page 38		Page 39
1	MR. LOVE: Object to the form.	1	MR. BENNETT: Yes.
2	MR. BENNETT: What was the basis?	2	THE WITNESS: It's on the case disposition,
3	MR. LOVE: Vague and ambiguous.	3	the hearing disposition.
4	BY MR. BENNETT:	4	BY MR. BENNETT:
5	Q And you did the best job that you could under	5	Q But within what table would it be?
6	what the with the task at hand; is that correct?	6	A There is two contents on the "I" because one
7	A Yes.	7	case in a final disposition "I" could be final
8	Q One of the things that we learned in this case	8	disposition also. Then each individual judgment code
9	after the date was then provided is that our side did	9	could be "I" also.
10	not ask for a code for when cases are dismissed, the "I"	10	MR. KUGELMAN: They just want to know what
11	code.	11	table that's found on.
12	A Okay.	12	THE WITNESS: It's on the petitions, actually.
13	Q Do you remember any discussion about that?	13	If it's case if you want to looking for the case
14	A No.	14	disposition, it's the plaintiff table. It's at
15	Q No. To your knowledge was well, let me	15	table you have to look at.
16	step back.	16	BY MR. BENNETT:
17	Within what table is the "I" disposition kept?	17	Q Okay. And then if you wanted it for an
18	I think the orders table is where you would find	18	individual defendant?
19	satisfactions and appeals. And then the	19	A That's defendant and plaintiff table.
20	plaintiff/defendant table is where the vacated code	20	Q If you take a look at what I think we now
21	field would be; correct?	21	marked as 6, what language did you program the inquiry
22	A It's on page A5 that was Exhibit 3.	22	or the query in? What language is this?
23	MR. KUGELMAN: Oh. Is this I think they'll	23	A It's query.
24	be able to figure it out from the context when you	24	Q It's a query?
25	talk about A5. I think that's Exhibit 3.	25	A Yes.
	Page 40		Page 41
1	MR. ERAUSQUIN: Structured query language.	1	Q Can you read me the first language in that
2	THE WITNESS: Yes.	2	line?
3	BY MR. BENNETT:	3	A "Where."
4	Q It's a structured query language?	4	Q So it says "where A period"
5	A Yes.	5	A That's correct, the juror CD less than 900 and
6	Q And if you were to add the "I" code to search	6	judgment code equal A. So you put in a judgment code N,
7	for cases that had been dismissed, for example,	7	A comma I in parentheses so you pick up either one.
8	dismissed after vacated, how would you alter this?	8	
			Q Okay. And that's the only change that would
9	A Okay. Can I ask you questions?	9	Q Okay. And that's the only change that would be necessary in your query?
9 10	A Okay. Can I ask you questions?Q Sure.	9	· •
10 11			be necessary in your query?
10 11 12	Q Sure.A Are you asking it's case dismissed or the individual plaintiff or the defendant, I mean, that they	10	be necessary in your query? A Yes, that's correct.
10 11 12 13	Q Sure. A Are you asking it's case dismissed or the individual plaintiff or the defendant, I mean, that they are dismissed cases?	10 11	be necessary in your query? A Yes, that's correct. Q And the reason that wasn't included is because we didn't ask for it? A That's correct.
10 11 12	Q Sure.A Are you asking it's case dismissed or the individual plaintiff or the defendant, I mean, that they	10 11 12	be necessary in your query? A Yes, that's correct. Q And the reason that wasn't included is because we didn't ask for it? A That's correct. Q If you could take a look at Exhibit 7 now, I
10 11 12 13 14 15	Q Sure. A Are you asking it's case dismissed or the individual plaintiff or the defendant, I mean, that they are dismissed cases? Q Either one. So A If you have either one, cannot do either one.	10 11 12 13	be necessary in your query? A Yes, that's correct. Q And the reason that wasn't included is because we didn't ask for it? A That's correct. Q If you could take a look at Exhibit 7 now, I think it is, the screen print of some of the data from
10 11 12 13 14 15 16	Q Sure. A Are you asking it's case dismissed or the individual plaintiff or the defendant, I mean, that they are dismissed cases? Q Either one. So A If you have either one, cannot do either one. Q Okay.	10 11 12 13 14 15 16	be necessary in your query? A Yes, that's correct. Q And the reason that wasn't included is because we didn't ask for it? A That's correct. Q If you could take a look at Exhibit 7 now, I
10 11 12 13 14 15 16 17	Q Sure. A Are you asking it's case dismissed or the individual plaintiff or the defendant, I mean, that they are dismissed cases? Q Either one. So A If you have either one, cannot do either one. Q Okay. A It's	10 11 12 13 14 15	be necessary in your query? A Yes, that's correct. Q And the reason that wasn't included is because we didn't ask for it? A That's correct. Q If you could take a look at Exhibit 7 now, I think it is, the screen print of some of the data from the disk you provided? A Yes.
10 11 12 13 14 15 16 17	Q Sure. A Are you asking it's case dismissed or the individual plaintiff or the defendant, I mean, that they are dismissed cases? Q Either one. So A If you have either one, cannot do either one. Q Okay. A It's Q The individual defendants then.	10 11 12 13 14 15 16 17	be necessary in your query? A Yes, that's correct. Q And the reason that wasn't included is because we didn't ask for it? A That's correct. Q If you could take a look at Exhibit 7 now, I think it is, the screen print of some of the data from the disk you provided? A Yes. Q And I want to these are the fields that we
10 11 12 13 14 15 16 17 18	Q Sure. A Are you asking it's case dismissed or the individual plaintiff or the defendant, I mean, that they are dismissed cases? Q Either one. So A If you have either one, cannot do either one. Q Okay. A It's Q The individual defendants then. A If it's individual, it's going to be judgment	10 11 12 13 14 15 16 17 18	be necessary in your query? A Yes, that's correct. Q And the reason that wasn't included is because we didn't ask for it? A That's correct. Q If you could take a look at Exhibit 7 now, I think it is, the screen print of some of the data from the disk you provided? A Yes. Q And I want to these are the fields that we had requested; correct?
10 11 12 13 14 15 16 17 18 19 20	Q Sure. A Are you asking it's case dismissed or the individual plaintiff or the defendant, I mean, that they are dismissed cases? Q Either one. So A If you have either one, cannot do either one. Q Okay. A It's Q The individual defendants then. A If it's individual, it's going to be judgment code N A comma I. You have to get to either one, I mean	10 11 12 13 14 15 16 17 18 19	be necessary in your query? A Yes, that's correct. Q And the reason that wasn't included is because we didn't ask for it? A That's correct. Q If you could take a look at Exhibit 7 now, I think it is, the screen print of some of the data from the disk you provided? A Yes. Q And I want to these are the fields that we had requested; correct? A That's correct.
10 11 12 13 14 15 16 17 18 19 20 21	Q Sure. A Are you asking it's case dismissed or the individual plaintiff or the defendant, I mean, that they are dismissed cases? Q Either one. So A If you have either one, cannot do either one. Q Okay. A It's Q The individual defendants then. A If it's individual, it's going to be judgment code N A comma I. You have to get to either one, I mean A or I.	10 11 12 13 14 15 16 17 18 19 20 21	be necessary in your query? A Yes, that's correct. Q And the reason that wasn't included is because we didn't ask for it? A That's correct. Q If you could take a look at Exhibit 7 now, I think it is, the screen print of some of the data from the disk you provided? A Yes. Q And I want to these are the fields that we had requested; correct? A That's correct. Q Let's start at the top where it says Beam's
10 11 12 13 14 15 16 17 18 19 20 21	Q Sure. A Are you asking it's case dismissed or the individual plaintiff or the defendant, I mean, that they are dismissed cases? Q Either one. So A If you have either one, cannot do either one. Q Okay. A It's Q The individual defendants then. A If it's individual, it's going to be judgment code N A comma I. You have to get to either one, I mean A or I. Q And where would you put that in here?	10 11 12 13 14 15 16 17 18 19 20 21 22	be necessary in your query? A Yes, that's correct. Q And the reason that wasn't included is because we didn't ask for it? A That's correct. Q If you could take a look at Exhibit 7 now, I think it is, the screen print of some of the data from the disk you provided? A Yes. Q And I want to these are the fields that we had requested; correct? A That's correct. Q Let's start at the top where it says Beam's Painting. The plaintiff underscore defendant column in
10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q Sure. A Are you asking it's case dismissed or the individual plaintiff or the defendant, I mean, that they are dismissed cases? Q Either one. So A If you have either one, cannot do either one. Q Okay. A It's Q The individual defendants then. A If it's individual, it's going to be judgment code N A comma I. You have to get to either one, I mean A or I. Q And where would you put that in here? A Actually, it's where, the where it's all	10 11 12 13 14 15 16 17 18 19 20 21 22 23	be necessary in your query? A Yes, that's correct. Q And the reason that wasn't included is because we didn't ask for it? A That's correct. Q If you could take a look at Exhibit 7 now, I think it is, the screen print of some of the data from the disk you provided? A Yes. Q And I want to these are the fields that we had requested; correct? A That's correct. Q Let's start at the top where it says Beam's Painting. The plaintiff underscore defendant column in this instance has the letter "D." Do you see that?
10 11 12 13 14 15 16 17 18 19 20 21	Q Sure. A Are you asking it's case dismissed or the individual plaintiff or the defendant, I mean, that they are dismissed cases? Q Either one. So A If you have either one, cannot do either one. Q Okay. A It's Q The individual defendants then. A If it's individual, it's going to be judgment code N A comma I. You have to get to either one, I mean A or I. Q And where would you put that in here?	10 11 12 13 14 15 16 17 18 19 20 21 22	be necessary in your query? A Yes, that's correct. Q And the reason that wasn't included is because we didn't ask for it? A That's correct. Q If you could take a look at Exhibit 7 now, I think it is, the screen print of some of the data from the disk you provided? A Yes. Q And I want to these are the fields that we had requested; correct? A That's correct. Q Let's start at the top where it says Beam's Painting. The plaintiff underscore defendant column in

	Page 42		Page 43
1	court's computer, Beam's Painting is noted as the	1	A Yes.
2	defendant?	2	Q And accept Mr. Love's representation that this
3	A That's correct.	3	page is an excerpt from that. The data that you
4	Q To the far right it says "judgment CD"?	4	provided in that CD is a subset of the full data set in
5	A Code, yes.	5	the court records? You didn't produce every, single
6	Q That column, that column is noting whether or	6	judgment
7	not judgment the judgment notation within the case	7	A No.
8	management system shows a judgment in the favor of the	8	Q in the court records?
9	plaintiff?	9	A No.
10	A It's "P," yes, plaintiff.	10	Q And you narrowed it, and one of the ways that
11	Q It's "P." And if that were vacated, it would	11	you narrowed it was through the use of this column that
12	say "A"?	12	is the judgment column?
13	A That's correct.	13	A That's correct, yes.
14	Q And if it were but we didn't request	14	Q If you were to compare that judgment column to
15	instances in which it was dismissed, nonsuited, not	15	what is marked as the original I think Exhibit 3 but
16	found; correct?	16	page five, A5?
17	A Well, this case, in the plaintiff cases,	17	A Yes.
18	because the judgment was satisfied, that's why they	18	Q Where is this value in the judgment CD column
19	picked up every name and the judgment satisfied and it's	19	reflected in the end user CMS screen that's A5? Is it
20	the judgment code also.	20	the case disposition field on the left or is it the
21	Q But the point is that the I mean, what	21	individual defendant field?
22	other values well, let me withdraw that. Let's try	22	A I extract from the defendant/plaintiff CD I
23	it this way.	23	mean actual judgment code.
24	The data that was provided in the CD that you	24	Q So it's the one on the you extract it from
25	gave to us?	25	on the right side of this?
	Page 44		Page 45
1	A On the right side, yes, right-hand side.	1	Q The date parameters that are in the actual
2	Q Okay. And appeals don't have their own field	2	query at two different points, one is halfway down?
3	in that, their own code in that field; correct?	3	A Yes.
4	A Appeal is on, it's the right-hand side on the	4	Q It says between 2010.
5	bottom, where it's up here, "APPL perfected."	5	A Yes.
6	Q Okay. But an appeals would not be whether	6	Q Can you explain that?
7	or not a case has been appealed is not indicated based	7	A Yes. Because our database is huge, so I have
8	on any value in the field judgment CD?	8	to divide it each year for 2001, 2002, 2003, 4, 5
9 10	A No. No. No.Q It's a different column it would be a	9 10	through 2010. O So there would have been an identical query
11	different part of the CMS database that the appeal	11	Q So there would have been an identical query done
12	question is drawn from, whether or not a judgment is	12	A That's correct.
13	appealed? Well, withdraw that. You've answered the	13	Q for each year?
14	question before so I'm tying myself in a knot.	14	A Yes.
15	MR. BENNETT: I don't have any other	15	Q This is the copy of the one that would have
16	questions. I appreciate your time.	16	been used for 2010?
17	MR. LOVE: No further	17	A That's correct.
18	MR. BENNETT: Let me ask one question.	18	Q And then the output from each of those queries
19	BY MR. BENNETT:	19	was synthesized into the single database that you
20	Q If you'll take a look at your query.	20	provided us?
21	A Yes.	21	A That's correct.
22	Q The time sequence that you would have drawn it	22	MR. BENNETT: All right. I don't have other
23	from would have been your handwritten notes at the top;	23	questions. Thank you.
24	is that correct?	24	MR. KUGELMAN: Mr. Love?
25	A That's correct.	25	

	Page 46		Page 47
1	F U R T H E R	1	COMMONWEALTH OF VIRGINIA AT LARGE, to wit:
2	EXAMINATION	2	I, Gwenda E. Applegate, Court Reporter,
3	BY MR. LOVE:	3	Notary Public in and for the Commonwealth of
4	Q Well, Ms. Barnard, do you have a page that	4	Virginia at Large, and whose commission expires
5	shows the search that you did for each of these roughly	5	November 30, 2013, do certify that the aforementioned
6	one-year time periods?	6	appeared before me, was sworn by me, and was thereupon
7	A Yes, I have.	7	examined by counsel; and that the foregoing is a true,
8	Q You just brought the one that relates to	8	correct, and full transcript of the testimony adduced.
9	A One, yes.	9	I further certify that I am neither
10	Q January 1, 2010	10	related to nor associated with any counsel or party
11	A I changed that's correct.	11	to this proceeding, nor otherwise interested in the
12	Q through September 10, 2010?	12	event thereof.
13	MR. LOVE: Okay. Thank you. No further	13	Given under my hand and notarial seal at
14	questions.	14	Charlottesville, Virginia, this 8th day of October
15	MR. KUGELMAN: She'll waive.	15	2010.
16		16	20101
17	AND FURTHER THIS DEPONENT SAITH NOT.	17	
18		18	
19	SIGNATURE OF THE WITNESS WAIVED BY	19	
20	AGREEMENT OF COUNSEL AND THE WITNESS.	20	
21	TIGHTED THE WITHESS.	21	Gwenda E. Applegate, Notary Public
22	(Deposition concluded at 1:52 p.m.)	22	Commonwealth of Virginia at Large
23	* * * * *	23	Registration Number 115863
24		24	Registration I valided 115005
25		25	
1 2	CHANGES REQUESTED TO THE DEPOSITION OF:		
3	MAMIKO BARNARD		
4	TAKEN: October 6, 2010		
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7	PAGE/LINE: DESCRIPTION		
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	24 22 20 0 10	15 10 20 22 16 24	20 10 20 20 22 0	20.0.40.620.41.6
A	24:22 29:9,18	15:19,20,22 16:24	29:10 30:20 33:8	39:8 40:6,20 41:6
abbreviations 25:2	34:20,21,25 35:4	16:24 20:19 21:20	35:1 36:8,13 37:5	41:6 42:5,20
able 38:24	44:4,11	26:17 31:15,17	37:12 38:8 39:2,7	43:23 44:3
accept 43:2	appealed 9:24	33:24 38:16	39:13,13 40:11	codes 13:1 18:20
accurately 35:17	10:22 37:11 44:7	background 5:14	42:7,17 43:20	19:14,21 20:3,6
Act 5:17 37:9	44:13	Barnard 1:14 2:1	44:7	20:11,15,24 21:10
action 1:6 4:12	appeals 11:7 38:19	3:4 4:3,9,10 11:14	cases 5:8 7:10,10	21:14,14,19 22:4
active 7:1	44:2,6	28:5,9 34:9 46:4	8:4,24 14:20	22:5,13 25:2 34:5
actual 27:17 35:21	appear 20:3	48:3	19:10,16,25 21:18	34:11
36:7 41:25 43:23	APPEARANCES	based 44:7	34:23 35:22,22	collect 31:16
45:1	2:10	basically 25:14	36:12 38:10 40:7	collectively 11:12
add 17:4 40:6	appeared 47:6	basis 37:7 38:2	40:13 42:17	College 5:15
added 17:15	APPL 44:5	Beam's 28:22 30:5	CD 18:16 34:3 41:5	Columbia 30:9
address 8:23 9:1	Applegate 1:25 2:3	30:23 31:2,2	42:4,24 43:4,18	column 23:12
13:3,3 18:1,1,3,3	47:2,21 48:25	33:21 41:21 42:1	43:22 44:8	28:21 30:14,18
18:4,5,7,8,8,10	appreciate 33:13	behalf 1:4 2:2	certain 5:25 6:8	31:25 35:5,7
32:18,19,23 33:16	44:16	Bennett 2:12 3:6	Certainly 25:24	41:22 42:6,6
33:17,23,23	asked 5:24 11:20	19:4 22:1 23:14	certify 47:5,9	43:11,12,14,18
addresses 10:11	12:25 14:13 24:20	36:24 37:2,4 38:2	change 8:23 17:13	44:10
18:13 32:19 33:16	26:6 29:7,17 30:1	38:4 39:1,4,16	17:18 41:8	come 12:5 29:2
33:17,23,24	37:18	40:3 44:15,18,19	changed 17:4 46:11	comes 5:10
adduced 47:8	asking 5:20,22 9:6	45:22	changes 17:21 48:2	comma 40:20 41:7
affirmative 4:17	15:21 24:6,19	best 38:5	charged 37:21	commencing 2:7
aforementioned	40:11	birthday 8:22	Charlottesville	commission 47:4
47:5	associated 47:10	blank 34:25	47:14	48:22
ago 16:25	ASSOCIATES	blanks 34:23	check 35:21,23,25	Commonwealth
agree 12:8 17:7	2:11	book 25:5	checked 36:3	2:4 47:1,3,22
28:16	assure 34:16	bottom 20:4 21:11	CII 22:1	Community 5:15
AGREEMENT	Atlanta 2:17 4:11	44:5	circuit 8:5,6	companies 30:12
46:20	attached 14:21	Boulevard 2:11	city 18:6	compare 36:5 43:14
ahead 11:12	attorney 2:20 4:11	box 20:5 21:8,11	civil 1:6 2:5 4:12	
allegation 37:8,9	9:19 23:7 24:10	22:5	5:8 6:21 7:10	compared 36:13
alter 40:8	attorneys 4:13 5:25		8:24 19:10,25	complete 18:7,8
ambiguous 38:3	6:7 7:5 8:1 12:1,5	brought 46:8	claim 37:8	computer 5:14
amount 9:21,22,22	12:14,18 13:18	Brown 30:8	clarification 24:6	16:22 17:8 19:24
9:22,22,24 13:2	24:3 25:12	Building 30:10	clarify 8:9 25:25	37:23 42:1
14:23,24 30:14,16	audit 35:15,20	business 8:24 30:2	clear 33:8	concluded 46:22
30:20,23,24	audits 35:21	businesses 29:24	clerks 19:15,22	consumer 2:11
analysis 4:24	award 14:23 30:14		32:13 35:11	10:15
answer 6:23 12:12	30:23	call 19:3	CMS 41:25 43:19	consumers 14:15
31:5 34:1,15	awarded 9:21	called 31:12	44:11	15:4 16:1 18:9
answered 44:13	30:19	Cary 2:8	code 8:19,22,23	24:12 29:24
ANTHONY 2:17	A5 19:18,21 21:6	case 4:16,21 5:24	10:4 13:4 18:7,18	contact 35:11
anybody's 33:12	38:22,25 43:16,19	8:18,20 9:17 10:2	18:19 20:4,12,25	contacted 37:18
appeal 9:18,19 11:1	B	12:6,16,25 14:18	21:23 22:15,17,18	contain 8:4,6,15
11:1 13:4 22:22	\mathbf{B} 3:10	14:20 19:12,24	24:20 26:10,11	10:13,25 19:21
22:24,25 23:3,3,4	back 12:20 15:15	21:16,17 29:8,9	29:9,19 34:3,8,12	23:7,24 29:5
23:5,8,11,11	Dack 12.20 13.13	21.10,17 27.0,7	34:13 38:10,11,20	contained 8:20
	<u> </u>	<u> </u>	<u> </u>	<u> </u>

	1	1	ı	
9:16,25 10:8	36:7,8,12 37:15	48:18	42:15	25:21 27:15
24:12 26:21 27:2	37:19 43:5,8 47:2	dates 9:19 10:17	disposition 19:11	employed 4:25
27:6,11,14	courthouse 31:21	34:24 35:3,4	19:13 21:16,17	enter 19:16
contains 8:10 19:13	courtroom 10:4	Dave 30:1	38:17 39:2,3,7,8	entered 30:17,24
20:6 21:10 24:7	courts 6:21 8:5,5	David 17:16	39:14 43:20	33:8,24
contents 39:6	8:11,17 17:8	day 47:14	dispositions 8:16	entering 19:23
context 38:24	19:23 23:25 24:11	DB2 6:16,17,22 7:3	9:3 14:16 15:16	entity 30:17
continue 10:4	31:23 35:12	7:23 12:3 13:21	16:1 19:25 29:23	entry 18:15 19:12
copy 25:5 45:15	court's 42:1	16:17	30:11	equal 29:10 41:6
corner 20:5 22:6	create 5:9,11 6:6	DB2INST1.GVA	district 1:1,2 5:7,8	Equifax 1:7 4:11
Corporation 30:9	7:4,24 13:17	13:23	6:19,21 7:9 8:4,6	37:7
correct 4:22 6:9,10	25:11	deals 33:5,5	8:11,17 12:6,9	ERAUSQUIN 2:13
6:10 7:22 8:2,12	created 28:10,12	DEF 26:20	16:2 17:8 19:15	31:6 40:1
8:13,13 11:10,25	creating 25:21	defendant 1:8 2:2	19:22,23 23:25	ESQ 2:12,13,17,21
12:7,7 13:19 14:4	credit 27:22 37:8	2:18 4:12 8:18,19	24:11 35:8,12	event 47:12
14:17 15:1,6,12	criminal 5:8 7:9	9:5 10:20 13:3	36:8,12	event 47.12 events 37:11
15:13,24 16:4,23	criteria 14:13	14:6,22 18:19	divide 45:8	events 37.11 evolves 17:22
16:25 17:6,12,24	24:13,19 29:17	20:7 21:25 22:7	DIVISION 1:3	exactly 4:22 16:9
18:14 19:17 20:23	35:24	26:22 29:11,15,20	divisions 6:22	21:13
21:17 25:16 27:4	CRR 1:25 48:25	29:25 30:3 32:20	docket 10:5	Examination 3:5,6
27:8,16 29:1,4	CRT 13:21 23:21	39:18,19 40:12	document 19:6,9	examined 47:7
30:13,24,25,25	27:10	41:22,24 42:2	19:14,18	example 30:4,22
31:3,4,18 32:6,12	current 4:23 32:23	43:21	documents 11:11	33:21 40:7
32:15 33:18 34:4	33:17	defendants 8:20		
	33:17	29:6 32:24 40:18	doing 16:21 domestic 5:9	examples 28:19 33:20
34:22,24 35:2,6				
35:10 37:17,20	D 3:2 18:21,22 20:7	defendant/plaintiff	Donna 1:4 4:13	excerpt 43:3
38:6,21 41:5,10	22:7 41:23	6:25 7:6,15 8:3,14	12:16 37:4	excerpts 26:2
41:13,19,20 42:3	data 5:23,25 12:24	9:11 11:8 43:22	drawn 24:7 44:12	executive 37:15
42:13,16 43:13	31:16 33:5 41:15	depends 5:21 31:23	44:22 DT 22:22	exhibit 3:12,13
44:3,24,25 45:12	42:24 43:3,4	deponent 2:22 33:4	DT 22:22	11:12,14,18 12:20
45:17,21 46:11	database 6:2,4,12	46:17	duly 4:4	12:23 19:1,3,7
47:8	6:13,14,16,17,22	deposition 1:13 2:1	$oxed{\mathbf{E}}$	20:12,13,17,18,18
correctly 35:17	7:4,24 12:3,6	11:14 19:1 28:5	E 1:25 2:3 3:2,10	20:19,21 21:1,6
cost 9:22	16:17 25:6,8,9	33:7 37:3 46:22	4:5 37:1 46:1,2	21:20 22:6,19
counsel 2:10,14,18	26:13 35:18 44:11	48:2	47:2,21 48:25	24:25 26:18 28:6
2:22 8:10 19:2	45:7,19	Depositions 2:6	earlier 10:24 20:2	28:9 38:22,25
25:22 28:12,15	databases 12:9	described 27:15	26:6 31:15	41:14 43:15
35:13 46:20 47:7	date 9:18,18,18,20	DESCRIPTION	East 2:8,20	existed 32:19
47:10	9:20,23,24 10:2,6	3:11 48:7	EASTERN 1:2	exists 24:23
course 27:24	10:17 11:1,1,23	designates 34:13	educational 5:13	expires 47:4 48:22
court 1:1 2:3 5:1,3	, ,	different 20:3 24:9	efforts 15:14 35:15	explain 12:22 45:6
5:6 6:9 7:8,9,21	13:2,5 15:2,3,18	44:10,11 45:2		extract 25:9 43:22
8:4 10:9,10,10,10	16:12,13,15,22	discussion 23:18	eight 13:11 22:19 22:20	43:24
10:11 12:6,9 13:5	17:2,5,11 22:24	28:5 31:9 38:13		extracted 30:21
15:11 16:2,11,16	23:1 24:22,23	disk 41:16	either 32:8,16	
19:16,22 23:22,23	25:9 30:21 31:12	dismissed 18:23	40:14,15,15,20	
27:17 32:13 33:24	33:22 34:20,21	20:7 22:7 38:10	41:7	F 46:1
35:7,8,18,21 36:4	36:7 38:9 45:1	40:7,8,11,13	elements 25:11,14	Fair 37:8

0.1		15.05.10.1.50.55		1 24 20 24 22 23 =
fairness 33:3	full 43:4 47:8	17:25 18:16 20:22	29:24 30:17 39:8	24:20,21,22 29:7
far 17:19 31:17	further 30:7,8	22:20 44:23	39:18 40:12,18,19	29:8,9,13,15,17
34:13,14 42:4	44:17 46:13,17	heading 31:12 34:2	43:21	29:19 30:16,24
favor 29:13,15,16	47:9	34:8	individuals 1:5	31:4,12 32:1,5,10
29:23 30:17,20	G	hearing 7:2,8,19	30:12	32:14 33:22 34:3
31:1 42:8		10:1,2,2,2,3,4,6	information 1:7	34:3,8 35:9 39:8
fees 9:19	GA 2:17	10:25 13:23 14:3	5:10,17 6:3,6 7:25	40:19 41:6,6 42:4
field 18:21 20:4,12	garnishment 6:25	19:11,13,25 26:25	8:3,9,11,15 9:2,16	42:7,7,8,18,19,20
20:16,25 21:15,16	GD 27:10	27:3 39:3	9:25 10:8,14,25	43:6,12,14,18,23
28:22 38:21 43:20	gears 9:11	held 5:2	11:24 12:3,5,8,10	44:8,12
43:21 44:2,3,8	general 2:20 5:7,8	HG 19:11	12:17 19:16,21,24	judgments 8:16,16
fields 21:18 23:4	6:19,21 7:9 8:4,6	highlighted 40:24	23:24 24:17 25:10	9:2,3,5 11:8 14:15
33:5,6 41:18	8:11,17 12:5,9	house 18:4	26:21 27:2,6,11	15:5,8,16 16:1,10
fifth 25:20	16:2 17:8 19:15	huge 45:7	28:14 29:2,5	17:9 29:12,22,23
figure 37:22 38:24	19:22 23:25 24:11		35:16,17 36:5	30:11 31:17
file 27:18	35:8,12 36:8,12	I	37:19,22	juror 41:5
filed 4:12 31:20	generally 33:3	idea 17:20 28:13	informations 8:7	juvenile 5:9
33:9 35:9	Georgia 4:11	30:21 31:22,23	initial 10:3	
files 23:11	give 7:12	33:19 37:13	inquiry 39:21	K
filled 16:20	Given 47:13	identical 45:10	installed 16:15	K 1:4
filter 26:13 29:22	go 5:18 11:12 12:20	identification	instance 41:23	kept 38:17
final 39:7,7	14:8 15:15,20	11:15 28:6	instances 42:15	kind 24:20
finally 10:8 27:9	16:24,24 20:19	identify 8:25 11:18	INST1.GD 13:21	KING 2:16
find 18:22 20:24	23:14 26:17,24	19:6 28:9	interest 9:23	knot 44:14
38:18	27:9 28:3,18 29:8	implications 34:11	interested 47:11	know 12:12 17:2,4
finish 9:6	31:6 34:14 36:3	34:14	interject 25:23	17:13,19 23:10
first 4:4 5:20 9:7	goes 7:9 15:22	improvements	introductory 7:1	29:19 30:19,20,23
10:5,6 12:22	going 8:24 9:10	17:22	issue 9:24	31:1 33:6,15
13:20 25:15 26:10	10:5 11:21 15:19	inaccurate 12:9,11	item 27:13	34:15,18,19 37:12
28:11,21 30:5,18	15:19,20 16:20	inactive 7:2	items 13:14,15	39:10
30:22 33:21 41:1	18:6 21:20 25:25	included 20:11,15		knowledge 17:18
five 13:11 16:5	29:19,20 33:2	20:25 41:11	J	38:15
43:16	40:19	IND 16:6	J 2:13,17	KUGELMAN 2:21
flags 9:23 10:6	greater 24:22	indicate 10:18,21	January 15:23	9:6 24:5 25:23,25
follows 4:4	group 37:18	14:14,24 32:14	46:10	26:4,9,13 33:2,11
foregoing 47:7	GVA 26:20,25 27:5	indicated 14:10	job 1:24 4:23 38:5	34:9 36:21 38:23
form 24:5 38:1	GVPLTDEF.TXT	17:9 22:5 44:7	John 5:15	39:10 45:24 46:15
found 18:24 39:11	25:3	indicating 4:17	joined 14:1	
42:16	Gwenda 1:25 2:3	10:14 32:4	JR 2:21	L
foundation 33:3	47:2,21 48:25	indication 14:2	judge's 10:3	language 39:21,22
found/unserved		indicator 8:23 9:20	judgment 8:22	40:1,4 41:1
20:8 22:8	H	9:21 10:16 13:2	9:20,22 10:14,17	large 2:5 7:7 47:1,4
four 7:12,12,13,21	H 3:10 46:1	16:8,8,10,11,14	10:19,22 13:2,4	47:22
7:23 13:10,21,24	halfway 45:2	16:17,19 22:1	14:25 15:2,3,4	lawyer 37:14
13:25 15:2 26:1	hand 6:23 38:6	24:21	16:6,13,18,19,23	lawyers 37:22
fourth 25:19	47:13	individual 9:4 13:4	17:10 18:16,18,20	layout 25:7
Freedom 5:10,17	handwriting 13:8,9	17:14 18:18 21:4	20:4,12,25 21:15	learned 38:8
fulfill 5:18	handwritten 13:6	21:18,24 23:11	21:19,23 22:4,5	left 43:20
14HH J.10	13:24 14:10,19	3,- 1 -2.11	,,,	left-hand 20:5
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TSC Bonorting 977 702 0590				

	İ	İ	İ	i
21:11	31:11 33:10,13,14	Mittendorff's 33:7	numbers 10:7 13:6	24:17,24 25:3,10
legal 34:11,14	34:17 36:18 38:1	move 25:8	13:10	25:15,17,20 26:10
Leonard 2:12 37:4	38:3 44:17 45:24		N.E 2:16	26:18,24 27:5,9
letter 41:23	46:3,13	N		28:11,14 38:22
letters 25:3 32:13	Love's 43:2	N 3:2 4:5,5 20:7	0	43:3,16 46:4
let's 6:5 11:11		22:7 37:1,1 40:20	O 4:5 20:8 22:8	pages 26:1
12:20 14:8 15:7	M	41:6 46:2,2	37:1 46:2	PAGE/LINE 48:7
17:25 20:19 22:19	M 4:5 37:1 46:2	name 4:7,10 6:14	object 24:5 33:2	Painting 28:22
23:21 24:24 25:17	Macon 37:14	8:23 12:13,17	38:1	30:5,23 31:2,2
28:3,18 41:21	Main 2:20	13:5 14:11 23:22	obtain 37:19	33:21 41:22 42:1
42:22	maintain 5:9	23:22,23 28:21	occurred 17:13,19	parameter 15:19
limited 27:15	maintained 6:8	30:2,5,18 35:7,8	October 1:15 2:7	parameters 45:1
line 18:1,2,3,3,4,6,7	Mamiko 1:14 2:1	37:3 42:19	4:1 47:14 48:4	parentheses 41:7
18:8 32:18,19	3:4 4:3,9 26:1	names 8:19 10:10	OFFICE 2:20	part 20:9 35:12,25
33:16,17,23,23	48:3	12:25 14:15 23:7	Oh 13:7 19:12	44:11
41:2	management 12:6	24:12	32:10 36:23 38:23	particular 15:16
lines 18:5 34:23	19:24 36:9,13	narrowed 43:10,11	okay 4:14 6:5 7:6	32:5,20,20 33:25
list 3:13 6:6 7:4,24	42:8	necessary 41:9	8:8 9:8,10,12,14	35:1,8,9,22
12:4,10,13,17	manner 15:25	neither 47:9	9:17,25 11:6 12:3	party 33:25 47:10
13:17 15:7,10,12	mark 11:12 28:2	never 4:18	14:9 16:9,21 17:1	PAUL 2:21
15:22 16:3 18:12	marked 3:11 11:15	Newport 2:12	17:16 18:25 19:2	Peachtree 2:16
20:24 23:6,24	11:18 19:1,6	News 2:12	20:15,21,21,23	people 18:12 23:7
24:2,6,9 25:11,21	20:12 21:1 28:6	nine 13:11,12,13	21:5,20 22:11,21	33:18
27:18 28:11 29:5	39:21 43:15	23:22 24:16	24:24 25:18 26:8	PERF 22:22
30:4 31:19 32:23	match 36:16	nonsuit 20:8 22:8	26:19 28:14 29:12	perfect 24:22
32:24 33:18 35:13	matches 34:13	nonsuited 18:24	29:22 30:4,22	perfected 9:19 11:2
36:6,11,14	MATTHEW 2:13	42:15	31:19 33:10 34:20	13:5 22:24,25
listed 21:10 30:18	ma'am 4:8 5:24	notarial 47:13	36:24 37:6 38:12	23:5,8,12 29:9,18
33:16	6:20	Notary 2:3 47:3,21	39:17 40:9,16	34:21,25 35:4
LITIGATION	McGuire 2:8	48:21	41:8 44:2,6 46:13	44:5
2:11	mean 6:23 8:24	notation 13:24 42:7	old 16:21	period 41:4
LLC 1:7	13:23 18:2,17	note 14:11 17:25	ones 20:7 34:24	periods 46:6
log 17:14	22:25 23:22 24:17	18:16 20:22 22:20	35:3	persons 22:10
long 5:2 14:11	25:4 31:16 32:2,4	noted 9:18,18 11:1	one-year 46:6	petitions 39:12
16:24	32:7 33:3,6 34:7	23:4,4 42:1	order 6:25 7:8,17	Phillip's 30:10
look 5:22 16:5	34:21,25 35:3	notes 24:16 44:23	9:13,16,17 10:5	phone 4:15
17:25 18:25 20:4	40:12,20 42:21	Notice 2:6	10:16,23 11:4,5,7	pick 29:10 37:10
20:22 21:6 22:19	43:23	noting 42:6	27:6,7 35:23	41:7
23:21 24:24 25:17	meanings 34:12	November 47:5	orders 38:18	picked 42:19
27:17 31:25 33:20	means 32:10 41:25	number 1:6 3:11	original 43:15	Pitman 11:20
34:2 35:22 39:15	mediation 9:23,23	7:15,17,19,21	output 45:18	place 37:10
39:20 41:14 44:20	mentioned 10:24	8:18,22 9:17 10:2	outside 18:13	plaintiff 7:6 8:18
looking 39:13	30:11	10:11 11:14 12:23		8:19 9:4,4 10:20
Love 2:17 3:5 4:6	met 4:18 24:12	12:25 14:18,18,20	<u>P</u>	12:16 13:3 14:6
4:10 9:9 11:17	37:3	14:23 15:2 16:5	P 18:21,22 20:7	14:21 18:19 20:7
19:2,5 22:3 23:16	Metro 22:2	18:1,4,15 20:22	22:7 34:5,6,7,8,18	21:4,24,25 22:7
23:20 24:8 25:24	midway 30:9	21:1,21 22:12,19	42:10,11	26:22 29:11,13
26:8,15,16 28:3,8	minute 15:8 20:17	23:21 28:6 47:23	page 12:23 19:18	30:1,3 32:20 34:6
			19:21 20:5 21:6	
			·	

25:15 35:4,17

43:19

24710201410
34:7,19 39:14,19
40:12 41:22 42:9
42:10,17
plaintiffs 1:6 2:14
8:21 27:19 32:24
plaintiff's 8:10
12:18 25:22
plaintiff-defendant
28:25 29:3
plaintiff/defendant
13:1 21:3 38:20
plea 10:3
please 4:8 12:15,22
19:19
PLT 26:20
PLT-DEF 28:23,25
point 8:9 17:7
32:21 42:21
points 45:2
position 5:2,4
possession 9:21
possible 33:22
posting 10:7
post-judgment
37:10
pre 6:24
prepare 12:4
prepared 12:10,14
12:18 15:11,22
16:3 35:16 36:11
preparing 27:18
35:12
present 24:21
principal 9:21 13:1
30:19
print 41:15
prior 19:1
Procedure 2:6
proceeding 47:11
process 17:22 36:1
produce 43:5
produced 11:11
program 5:9,10,11
15:14 17:14 20:20
20:21 22:11 39:21
programmer 4:24
5:4,5 33:4
programming 5:14
3 9 3 3 3 3 3 3 3 3 3 3

5:19 25:6
Propane 30:9
provide 5:25
provided 6:7 15:7
23:6 24:2,10
28:15 31:19 38:9
41:16 42:24 43:4
45:20
Public 2:4 47:3,21
48:21
pull 6:2 35:23
pulled 6:6,7 13:14
13:15 29:21 30:3
purposes 11:6 25:6
pursuant 2:5
put 8:10 16:12,14
30:2 40:22 41:6
P.C 2:11
p.m 1:16,16 2:7 4:1
46:22

queries 5:11 45:18 query 39:22,23,24 40:1,4 41:9 44:20 45:2,10 question 9:7 34:15 44:12,14,18

questions 36:18,22 40:9 44:16 45:23 46:14

R

R 46:1,1 range 11:23 read 21:11 41:1 reason 41:11 record 4:7 23:14,18 26:1 28:3,5 31:6,9 records 15:11 27:18 43:5,8 refer 25:6 reference 7:8,9,10 7:11,21 10:9,10 13:22 14:3 18:22 19:10 27:10,11 reflect 25:10 31:20 32:23

reflected 24:18

reflects 12:23 15:10 19:14 25:19 25:20 **Registration** 47:23 regularly 37:10 **relate** 6:18 **related** 30:11 47:10 relates 46:8 remember 38:13 **Repeat** 12:15 **report** 17:16 **REPORTED** 1:25 48:25 **Reporter** 2:3 47:2 reporting 15:16 16:1 37:9 reports 27:22 represent 4:11 21:18 37:4 representation 43:2 request 3:12 5:10 28:12 42:14 **requested** 3:13 7:4 7:25 11:24 16:12 22:10 41:19 48:2 **requests** 5:17,19 requirement 12:25 29:25 research 5:20 reside 9:23 rest 24:15,17 results 10:3 23:12 retrieve 5:23 retrieved 12:24 **Richmond** 1:3,17 2:8,21 **right** 7:13 8:1,14 11:9 15:23 16:3 16:18 17:23 18:23 26:22 30:12 32:11 33:25 34:5 35:23 42:4 43:25 44:1 45:22 **right-hand** 21:2,8

Rule 2:5 Rules 2:5 **run** 36:6 **S** 3:10 **SAITH** 46:17 satisfaction 17:11 31:20 satisfactions 11:6 38:19 satisfied 9:19,20,20 10:15,16,17,17 13:2 15:2,4,5,8 16:6,10,12,13,14 16:18,19,20,23 17:9,10 24:21 29:7,8,17 31:13 31:17,22 32:1,5 32:11,12,14 33:22 37:11 42:18,19 Savage 17:16 30:1 saying 16:17 21:5 23:2 26:15 says 13:22,22 14:5 14:18,23 15:2 16:5,6 18:1,16 20:6 21:23 22:22 25:3 26:20,25 27:5,10 28:21,22 28:22 30:5,14 32:1,18 33:21 34:2,8 41:4,21 42:4 45:4 screen 19:11 41:15 43:19 screens 19:11,13,13 **seal** 47:13 **search** 3:12 7:3 11:23 12:19 14:12 15:15 16:9 18:2,9 21:25 22:12 24:11 25:11 27:13 40:6 46:5 **searched** 7:24 12:4

14:14,19,24 15:3

roughly 46:5

RPR 1:25 48:25

16:10 18:3 22:4,9 22:15 25:21 26:5 26:9 27:14 29:8 29:12 31:16 searching 14:2,11 **second** 21:2 23:15 26:18 31:7 secretary 37:15 **section** 13:20 24:16 Security 8:22 see 7:13 15:15 20:9 21:5 24:12 26:15 30:4,7,8,9 35:16 36:4 41:23 seen 27:21 September 46:12 **sequence** 8:19,21 10:7 44:22 **SERVICES** 1:7 set 23:3 43:4 seven 13:11 18:15 18:16 20:22 21:1 21:21 22:12 **She'll** 46:15 shifting 9:11 **show** 28:2 showing 11:1 **shows** 15:25 23:11 42:8 46:5 **side** 21:2,8,12 38:9 43:25 44:1,1,4 **SIGNATURE** 46:19 48:19 Similarly 1:5 single 27:13 43:5 45:19 sir 11:3 27:20,23 28:1 Situated 1:5 six 13:11 18:1 **Social** 8:22 **sorry** 9:8 20:17 26:12 36:23 **Soutter** 1:4 4:13 12:16 27:25 37:4 **Soutter's** 5:25 6:7 7:5,25 12:1,4,13 13:17 23:7 24:3

22:6 44:1,4

24:10 25:12 27:18	table 5:21,22 6:4	today 11:11	V	WITNESS 3:3 9:8
27:21 28:12,15	6:25,25 7:1,1,2,7	toes 33:12		26:3,11 36:20,23
35:13	7:7,7,8,8,11,15,17		v 1:6	39:2,12 40:2
SPALDING 2:16	7:19,21 8:4,15,15	top 24:16 25:3	VA 2:12,21	46:19,20
spoke 4:15	9:11,13,16,17	26:20,24 28:19	vacated 10:19 11:7	Woods 2:8
spot 35:21,23,25	10:1,9,25 11:4,5,7	41:21 44:23	18:23 20:6 21:3	Work 5:7
36:3	11:8 14:3,3 21:25	trade 8:24	22:7,9,16,17,18	working 25:7,8
stand 16:7 22:23	26:2,3,20,22,25	traffic 5:8 7:10	29:10,18,19,20	wouldn't 31:19
28:25 34:3	27:3,5,7,10,11	training 5:13	37:11 38:20 40:8	write 15:14
standpoint 5:19	29:3 38:17,18,20	transcribed 2:2	42:11	writing 9:24
stands 34:18	39:5,11,14,15,19	transcript 47:8	Vague 38:3	writting 5.24 written 21:21
start 41:21	tables 6:8,11,15,17	tried 37:22	value 43:18 44:8	wrote 22:11
started 11:21	6:20 7:3,23 10:13	true 47:7	values 42:22	W10tc 22.11
starting 28:19	10:18,20,21 13:25	try 42:22	various 14:15,16	X
state 4:7 10:11 18:6	26:2,4,6,7 27:14	trying 33:11,12	35:12	X 3:2,10 4:5 16:20
24:4	take 2:6 18:25	turn 19:18	violated 37:8	32:7,8,10,16 37:1
STATES 1:1	24:24 25:17 35:20		Virginia 1:2,17 2:4	46:2
status 15:10	39:20 41:14 44:20	two 7:11,17 13:10	2:9 5:1,6 6:8,21	Xs 32:1
step 33:12 38:16	taken 2:1 48:4	13:25 14:18,19	8:5,17 16:2 17:9	
steps 5:18 35:20	talk 9:13 15:8	18:2,3,5,6,8 22:2	18:10,13 19:23	Y
steps 5:18 55:20 storage 25:7,9	38:25	23:4 32:13,19	23:25 24:11 35:9	Y 16:20 32:8,16
stored 6:11,15,17	talked 4:20 27:24	33:17,23 39:6	37:16 47:1,4,14	year 45:8,13
street 2:8,16,20	talking 20:2	45:2	47:22	yesterday 4:15
18:5	task 37:21 38:6	tying 44:14	Virginia's 35:18	Ys 32:1,2
strike 23:13	team 5:7	Tyler 5:15	36:4	
structure 5:22	telephone 10:11	type 8:23 10:3,12	\mathbf{W}	Z
structured 40:1,4	tell 4:23 5:17 6:24	types 5:5 20:3	Wait 20:17	zip 10:11 18:6
subject 8:9	9:15 16:14	types 3.3 20.3	waive 46:15	φ
subset 43:4	testified 4:4	U	WAIVED 46:19	\$
sued 37:7	testimony 47:8	U 18:24 20:8 22:8	want 14:12 39:10	\$200 30:24
Suite 2:11	Thank 36:19,20	46:1	39:13 41:18	1
summary 26:21	45:23 46:13	Uh-huh 28:20	wanted 39:17	1 15:23 46:10
Supply 30:10	thereof 47:12	underneath 28:21	wants 34:15	
supreme 5:1,3,6	things 5:5 16:21	underscore 41:22	Warwick 2:11	1:52 1:16 46:22
6:9 35:18 36:4	38:8	understand 6:5	wasn't 17:2 26:5	10 46:12
37:15,19	think 7:11 10:24	15:18,21 37:14,24	41:11	100 2:11 11 3:12
sure 6:5 14:12	23:2 25:25 33:7	understanding	way 16:21 24:9	11 3:12 115863 47:23
20:19 23:16 40:10	38:18,23,25 39:20	2 4 4 2	26:17 32:9 33:15	
sworn 4:4 47:6	40:24 41:15 43:15	understands 34:12	40:24 42:23	1180 2:16
synthesized 45:19	third 21:3 25:17,19	Understood 33:13	ways 43:10	12:50 1:16 2:7 4:1
system 16:16,22	three 7:12,19 13:10	undertake 35:15	ways 45:10 website 36:4,5,7	12515 2:11
17:8 19:24 36:9	13:21,22,24,25	UNITED 1:1	went 31:15 36:12	1989 5:3
36:13,14 37:10	14:23	University 30:8	we'll 19:3 28:2	199 5:3
42:8	time 4:20 10:4	update 19:13	we're 8:8	2
	15:11,15,17 16:2	upper 21:8 22:6	we've 4:18,20	20 36:2,11
T	32:21 44:16,22	use 19:22 25:8	wit 47:1	2001 15:19,19,23
T 3:10 4:5 37:1	46:6	32:13 43:11	withdraw 42:22	31:15,17 45:8
46:1,2	title 4:23	user 43:19	44:13	2001/01/01 11:21
			11.13	
	<u> </u>	ı	<u> </u>	<u> </u>

Page !

			Page 55
	I	I	ı
2002 33:25 45:8			
2003 45:8			
2010 1:15 2:7 4:1			
15:20 45:4,9,16			
46:10,12 47:15			
48:4			
2010/09/10 11:22			
2013 47:5			
23219 2:21			
23606 2:12			
28 3:13			
3			
3 19:1,3,7 21:6 22:6			
38:22,25 43:15			
3:10cv107 1:7			
30 2:5 47:5			
30309 2:17			
33526 1:24			
37 3:6			
4			
4 3:5 13:23 45:8			
46 3:5			
5			
5 45:8			
6			
6 1:15 2:7 3:12 4:1			
11:12,14,19 12:20			
12:23 20:13,17,18			
20:18,19,21 21:1			
21:20 22:19 24:25			
39:21 48:4			
7			
7 3:13 20:12 28:6			
41:14			
8			
8th 47:14			
8/19/2002 33:22			
9			
900 2:20 41:5			
901 2:8			
91 5:4			
92 5:4			
	•	•	·